



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

RE
9 Feb 09

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: *for* Deputy Assistant Secretary of Defense for Detainee Affairs *(b)(1), (b)(5) 9 Feb 09*

FROM: Director, OARDEC (U) *18 2/8/09*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 115 (YEMEN)

o (S//NF) Subject ARB was held on 21 Jan 09 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o (S//NF) Intelligence inputs used in the ARB's determination of this EC's case include:
 (b)(1),(b)(5)

o (S//NF) Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o (S//NF) RECOMMENDATION: (b)(1),(b)(5)
 (b)(1),(b)(5)

(b)(1),(b)(5) (Transfer) _____

Or Detain *[Signature]* Release _____
2-10-09

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 115

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee being present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee was uncooperative and refused to leave his detention cell to attend the interview.

d. (U) The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Detention Group (JDG) point of contact for delivery to the detainee in accordance with JDG Standard Operating Procedures. The AMO received written confirmation from the JDG liaison stating that the documents were not accepted by the detainee.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 3 package.

Derived From: Multiple Sources
Declassify On: 25X1-Human

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Enclosure (4)
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b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-21.

c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included in enclosure (5).

(1)(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)



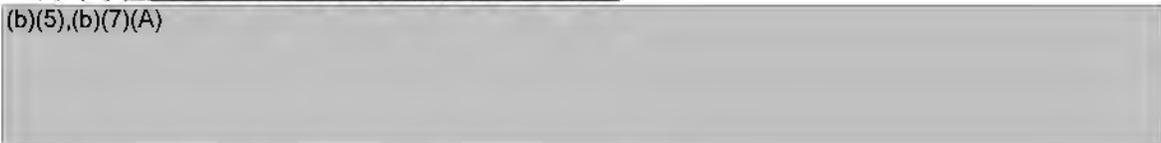
(2)(U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)



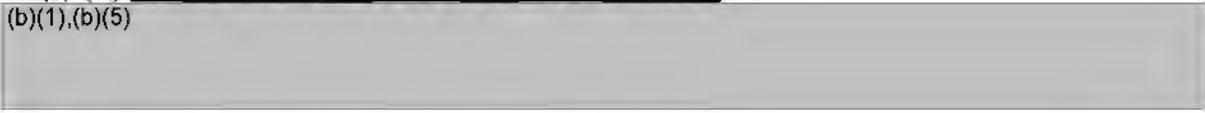
(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)



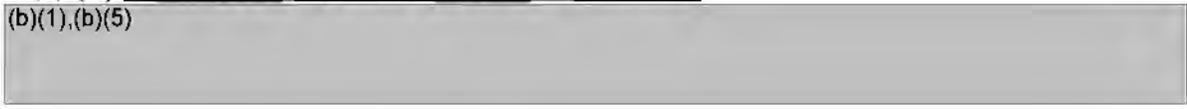
(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)



(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)



(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

[Redacted]

4. (U) **Third Party / Home Country Statements**

(b)(5)

[Redacted]

5. (U) **Consultations with the Administrative Review Board Legal Advisor**

(b)(5)

[Redacted]

6. (U) **Additional Information**

(b)(1),(b)(5)

[Redacted]

(b)(5),(b)(7)(A)

[Redacted]

7. (U) **Conclusions and Recommendation of the Administrative Review Board**

a. **(S/NF) Threat Level.**

(b)(1),(b)(5)

(b)(1),(b)(5)

[Redacted]

Derived From: Multiple Sources
Declassify On: 25X1-Human

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Enclosure (4)
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(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

b. (S//NF) Intelligence Value.

(b)(1),(b)(5)

Derived From: Multiple Sources
Declassify On: 25X1-Human

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(b)(1),(b)(5)

c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)

d. (U) Recommendation.

(b)(1),(b)(5)

8. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

Colonel, U.S. Air Force
Presiding Officer

Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 115
Enclosure (4)
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UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

02 December 2008

To: SALEH, ABDUL

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF SALEH, ABDUL

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee stated he initially decided to go to Chechnya after hearing a Sheikh speak at his mosque about Chechnya catastrophes. The detainee stated this Sheikh suggested the detainee go to Afghanistan instead. The detainee stated he decided to go there to fight. The detainee stated the Sheikh wrote down travel instructions for his trip to Afghanistan.
 - a. The Sheikh mentioned above is a prominent scholar who acts as a religious and legal expert for Usama bin Laden.
 - 2) The detainee stated he asked his brother for money to go on a vacation, and his brother gave him 180,000 Yemeni Riyals, equivalent to 1,500 United States Dollars. The detainee stated he left Yemen for Syria and stayed at the Sahat Almary hotel for ten days. The detainee stated he then flew to Iran and onto Afghanistan.
 - 3) The detainee stated that when the bombing started, he and two of his friends pulled back and they took a cab to Konduz, Afghanistan, and stayed at a guest house with ten other people. They remained in Konduz for two weeks, and then traveled by truck to Mazar-e-Sharif, Afghanistan.

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DMO Exhibit 01
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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF SALEH, ABDUL

- 4) The detainee stated he stayed in a guest house in Kabul, Afghanistan, with 15 to 20 other people. The detainee stated he spent three or four months at the front lines in Karabak, Afghanistan, then spent six months at Khvajeh Ghar, Afghanistan. The detainee stated he lived in trenches while fighting on the front line.
- 5) Reportedly, the detainee was on the front lines with a man for one year.
 - a. Reportedly, the man mentioned in the statement above is one of Usama bin Laden's closest commanders and the person in charge of al Qaida fighters in the Afghani Northern Front.
- 6) The detainee stated he was almost immediately captured by a general's troops when he arrived in Mazar-e-Sharif, Afghanistan.

b) Connections/Associations

- 1) The detainee stated that at Khavajeh Ghar, Afghanistan, the detainee had an immediate commander.
 - a. Reportedly, the commander mentioned in the statement above was one of the main leaders on the front lines in Kabul, Afghanistan, in 2001, and he had a lot of experience in leadership, tactics, map reading and weapons.

c) Training

- 1) The detainee stated before going to Karabak, Afghanistan, he received training at the Said Center on the Kalashnikov rifle and hand grenades. The Said Center was approximately one and one half miles from the front line. The detainee stated the Emir of the line was also a training instructor. The detainee stated the training instructor had an assistant.
 - a. Reportedly, the Emir was one of four commanders on the front lines of fighting under the command of an al Qaida commander who worked for the Taliban government. Reportedly, the Emir was the senior commander in the field and had 10-15 soldiers under his command.
 - b. Reportedly, the Said Center Training Camp was a Taliban run training camp. Reportedly, the course of instruction lasted over one month and consisted of small arms familiarization. Reportedly, after training, all students were sent to the rear lines north of Konduz, Afghanistan to fight.

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF SALEH, ABDUL

- c. Reportedly, on the Kabul front line, the assistant to the Emir of the line was also the main trainer for anti-tank mines, the Milan missiles and the theoretical part of the SA-7 training.
- 2) The detainee stated he received training on the front lines of Kabul, Afghanistan, by the Emir and three other individuals.
 - a. Reportedly, there were approximately seven instructors providing SA-7 training on the front lines of Kabul, Afghanistan. Reportedly, the training on the SA-7 covered both theory and hands-on instruction, to include firing the SA-7 and explaining the damage the SA-7 would do to a helicopter or an airplane.
- d) **Other Relevant Information**
 - 1) The detainee stated he had no military service.
- 4. **The following primary factors favor release or transfer:**
 - a) The detainee stated he heard about the attacks of 11 September 2001, on the radio while he was in Khavajeh Ghar, Afghanistan. The detainee stated he feels the attacks are a poor reflection of Muslims.
 - b) The detainee advised that if he were to be released from United States custody, he would return home to the family farm and get married.
 - c) The detainee stated he will not participate in jihad again.
- 5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1910

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *SJG*

FROM: Director, OARDEC (U) *Ag 10/21/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 128 (YEMEN)

o (S//NF) Subject ARB was held on 21 Aug 08 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o (S//NF) Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)

o (S//NF) Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o (S//NF) **RECOMMENDATION:** (b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *[Signature]*
 11-10-08
 Or Transfer _____ Release _____

o (U) Attachments:

- Tab A OARDEC SJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

Classified By: Presiding Officer's Memorandum of Administrative Review Board Panel #137
Source Marked: 25X1
Source Dated: 21 Aug 08

~~SECRET//ORCON/NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 128

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. The AMO indicated the detainee did not want the proceedings explained to him or the Unclassified Summary of Evidence to be read and translated for him. The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were given to the detainee by the AMO and that the detainee accepted them.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 128
Enclosure (4)
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~~SECRET//ORCON/NOFORN~~

3. (U) Summary of Information Considered

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-1 through DMO-37.
- c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)



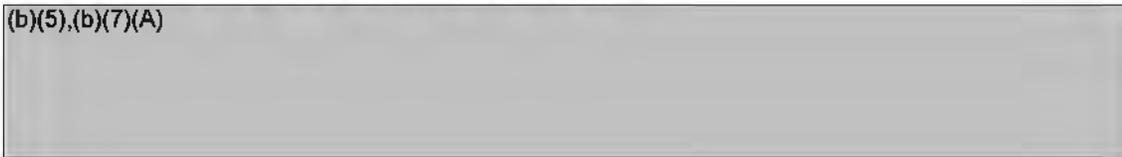
(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)



(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)



(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)



SECRET//ORCON/NOFORN

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

(b)(1),(b)(5)

6. (U) Additional Information

(b)(1),(b)(5)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. (S//NF) Threat Level.

(b)(1),(b)(5)

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

Derived From: Multiple Sources
Declassify On: 25X1-Human

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Enclosure (4)
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SECRET//ORCON/NOFORN

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

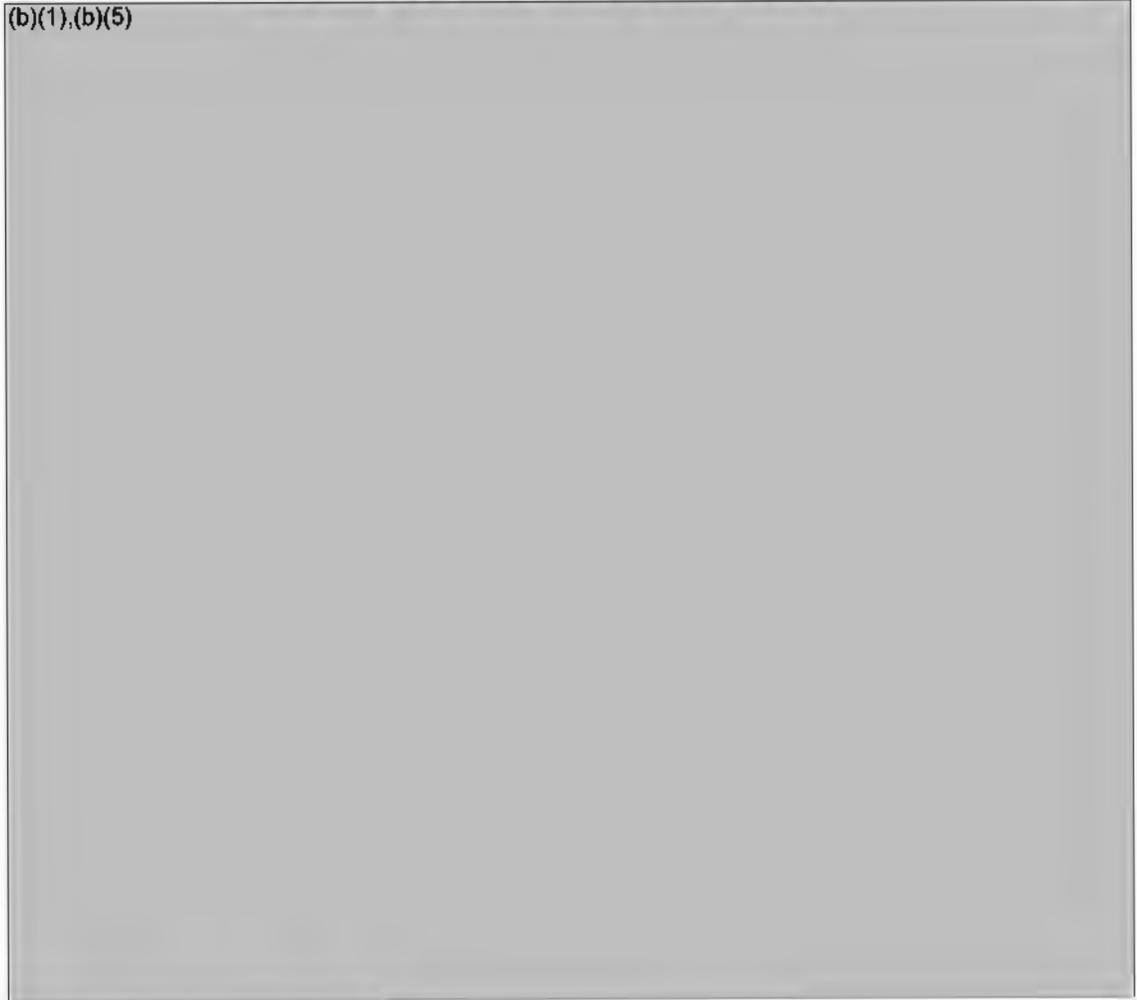
(b)(5),(b)(7)(A)

(b)(1),(b)(5)

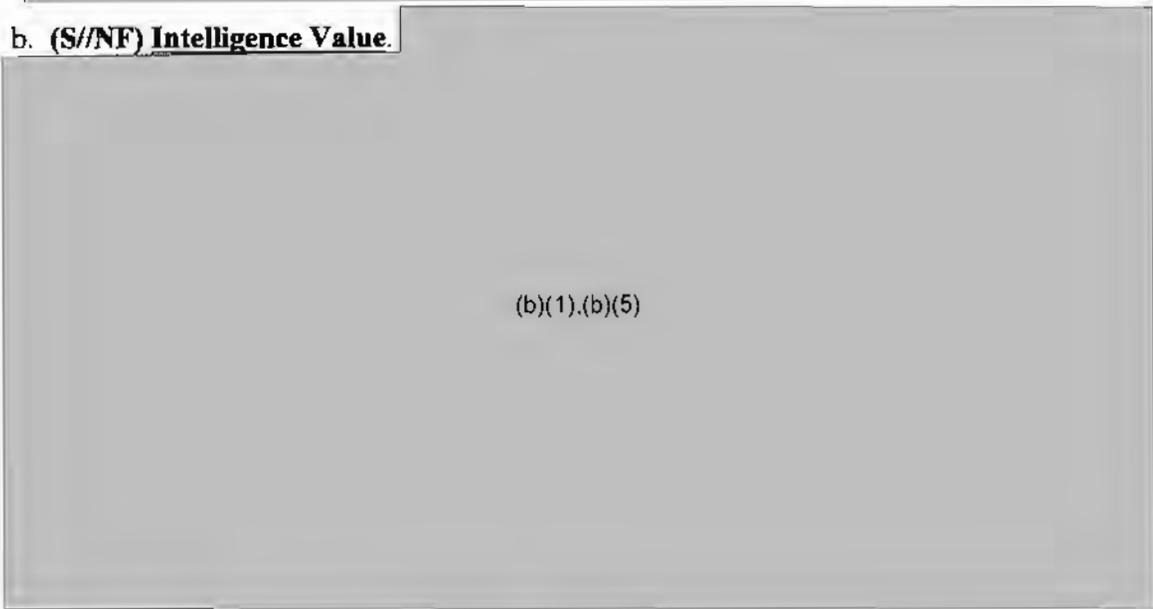
Derived From: Multiple Sources
Declassify On: 25X1-Human

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Enclosure (4)
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(b)(1),(b)(5)



b. (S//NF) Intelligence Value.



(b)(1),(b)(5)

Derived From: Multiple Sources
Declassify On: 25X1-Human

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Enclosure (4)
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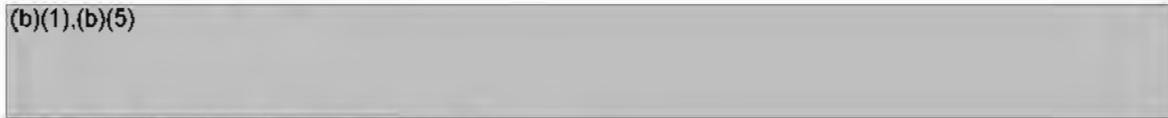
c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)



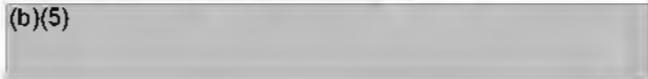
d. (U) Recommendation.

(b)(1),(b)(5)

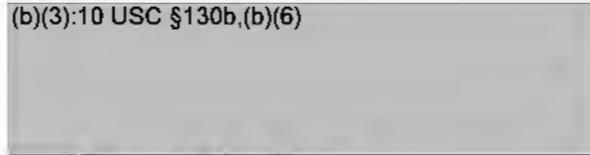


8. (U) Board Members' Voting Results

(b)(5)



(b)(3):10 USC §130b,(b)(6)



Colonel, U.S. Air Force
Presiding Officer

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

13 August 2008

To: NASSER, GHALEB

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF NASSER, GHALEB

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee stated an individual told him about a fatwa issued by a Sheikh. The detainee stated this individual said the fatwa declared it an obligation to go fight with the Taliban in Afghanistan. The detainee stated he went on jihad in Afghanistan based on this fatwa.
 - 2) The detainee stated a facilitator gave him 1,500 riyals and arranged for his travel to al Farouq training camp from Saudi Arabia.
 - 3) The detainee stated he flew to Pakistan where an individual purchased an airline ticket for the detainee to travel to another location in Pakistan. Another contact met the detainee at the airport and brought the detainee back to his house, where the detainee stayed overnight.
 - 4) The detainee stated an individual took the detainee across the border from Pakistan into Afghanistan. In Afghanistan, the detainee met up with the same individual and traveled to a city in Afghanistan where they were greeted by the Taliban and stayed for two days. The detainee stated he then went to a preparation camp for the al Farouq training camp.
 - 5) The detainee stated that once he completed training at al Farouq, he traveled to another location in Afghanistan and then traveled to his position on the front lines where he worked as an assistant cook for five months.

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DMO Exhibit 1
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UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF NASSER, GHALEB

- 6) The detainee stated he traveled to the front lines in Afghanistan via a Taliban-operated airplane. At the front line, the detainee received one Kalashnikov, three empty magazines and one full magazine.
- 7) The detainee stated he did some guard duty while at the front lines.
- 8) The detainee stated he became a trainer on the Jukrail 30 machine gun and other various weapons while on the front lines.

b) Connections/Associations

- 1) The detainee reportedly has five or six brothers who worked for Usama bin Laden.
- 2) Reportedly, one of the detainee's brothers reported directly to Usama bin Laden and was a high level Taliban and al Qaida leader who took part in decision making. He was in charge of the advanced training at al Farouq training camp and was in charge of two main guest houses in Afghanistan.

c) Training

- 1) The detainee stated he attended the al Farouq training camp in March 2001 for about three weeks. The detainee received weapons training on the Kalashnikov, Beaker, rocket propelled grenade, and hand grenade.
- 2) The detainee identified a Russian 7.62 millimeter PKB machine gun as a weapon he trained on and referred to it as the Bika or Beaker.
- 3) The detainee and his brother reportedly received training on the use of the SA-7 and ZSU-23 anti-aircraft weapons in a bunker in Afghanistan.
- 4) The detainee's older brother was reportedly a trainer in Tajikistan and Russia who specialized in anti-aircraft training. The detainee's older brother trained the detainee and another of his brothers in building improvised explosive devices utilizing tank shells, mortars, and land mines. The detainee and one of his brothers also trained in urban warfare. Upon completion of the training, the detainee and one of his brothers went to the front lines.
- 5) The detainee reportedly visited both al Farouq and an airport facility in Afghanistan with a head trainer and the detainee's brother. They all watched a display from Russia about lessons learned regarding explosive devices.
- 6) The detainee stated he received weapons training on the Grayinov, the Doushka, the Zukiak and the 82mm cannon while on the front lines. The detainee stated the weapons

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF NASSER, GHALEB

training he received was very basic consisting of breaking down, loading, and shooting the weapons.

d) Intent

- 1) The detainee stated he considers himself a mujahedin. The detainee's definition of mujahedin is someone who fights for the Taliban. The detainee stated that the Taliban consists of Muslims who stand for implementing Allah's laws.

e) Other Relevant Data

- 1) The detainee stated that the head Taliban in charge negotiated a surrender to General Dostum's forces. They surrendered their weapons, got onto trucks, and were taken to an underground jail in a castle. The next day fighting broke out at the castle and the detainee was wounded in the upper right arm. After about eight days, the detainee and others surrendered to General Dostum's troops. The detainee was taken to a jail for about a month.
- 2) The detainee was reportedly a low-ranking al Qaida fighter whose brothers served in various capacities in close association with Usama bin Laden.

4. The following primary factors favor release or transfer:

- a) The detainee stated he did not fight against Americans. He states that he was in Afghanistan to fight jihad against the Northern Alliance and also states he never discharged his weapon.
- b) The detainee stated he never received any formal military training but was shown how to use a Kalashnikov rifle by his friends in Saudi Arabia.
- c) The detainee stated he had no knowledge of al Qaida or its members.
- d) The detainee stated that he does not believe in the ideals that al Qaida stands for and would not fight for them.
- e) The detainee stated if he was released, he would not go back to Saudi Arabia. He would like to go to Yemen and look for his family.
- f) The detainee stated that if released he would finish his studies while living with his brothers in Yemen. The detainee stated he would get married and go to school to learn how to use computers. The detainee stated he wanted to learn to be fluent in English because job opportunities would be better.

UNCLASSIFIED

**Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF NASSER, GHALEB**

g) The detainee stated he did not have any prior knowledge of the September 11th attacks on the United States. The detainee also stated he had no knowledge of rumors or plans of future attacks on the United States or United States interests.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

SECRET//NOFORN
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *dx*

FROM: Director, OARDEC (U) *AS 10/20/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD (ARB) ASSESSMENT AND RECOMMENDATION
 ICO ISN 131 (YEMEN)

o (S//NF) Subject ARB was held on 3 Sep 2008, resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o (S//NF) Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)

o (S//NF) Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	(b)(1),(b)(5)
FBI	(b)(1),(b)(5)

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o (S//NF) RECOMMENDATION: (b)(1),(b)(5)

(b)(1),(b)(5) Detain *[Signature]*
 Or Transfer _____ Release _____
11-10-08

o (U) Attachments:

- Tab A OARDEC SJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

SECRET//NOFORN

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 131

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee wanted the assistance of the AMO to present written responses on his behalf. The detainee affirmatively declined to appear personally in the ARB proceedings. The AMO verbally summarized comments the detainee made during the AMO's interview and provided the oral responses made by the detainee to the AMO during the interview. These responses are documented in Exhibit EC-B.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee understood the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

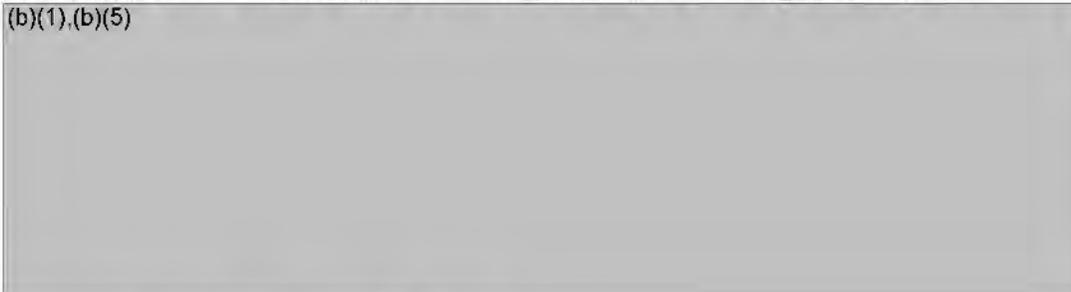
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3. (U) Summary of Information Considered

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-1 through DMO-36.
- c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)



(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)



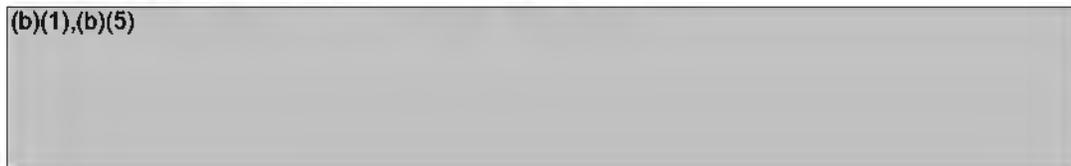
(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5)



(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)



Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 131
Enclosure (4)
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SECRET//ORCON/NOFORN

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Additional Information

7. (S//NF)

(b)(1),(b)(5)

(b)(1),(b)(5)

a. (S//NF) Threat Level

(b)(1),(b)(5)

(b)(1),(b)(5)

(b)(1),(b)(5)

8. (U) Conclusions and Recommendation of the Administrative Review Board

a. (S//NF) Threat Level

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

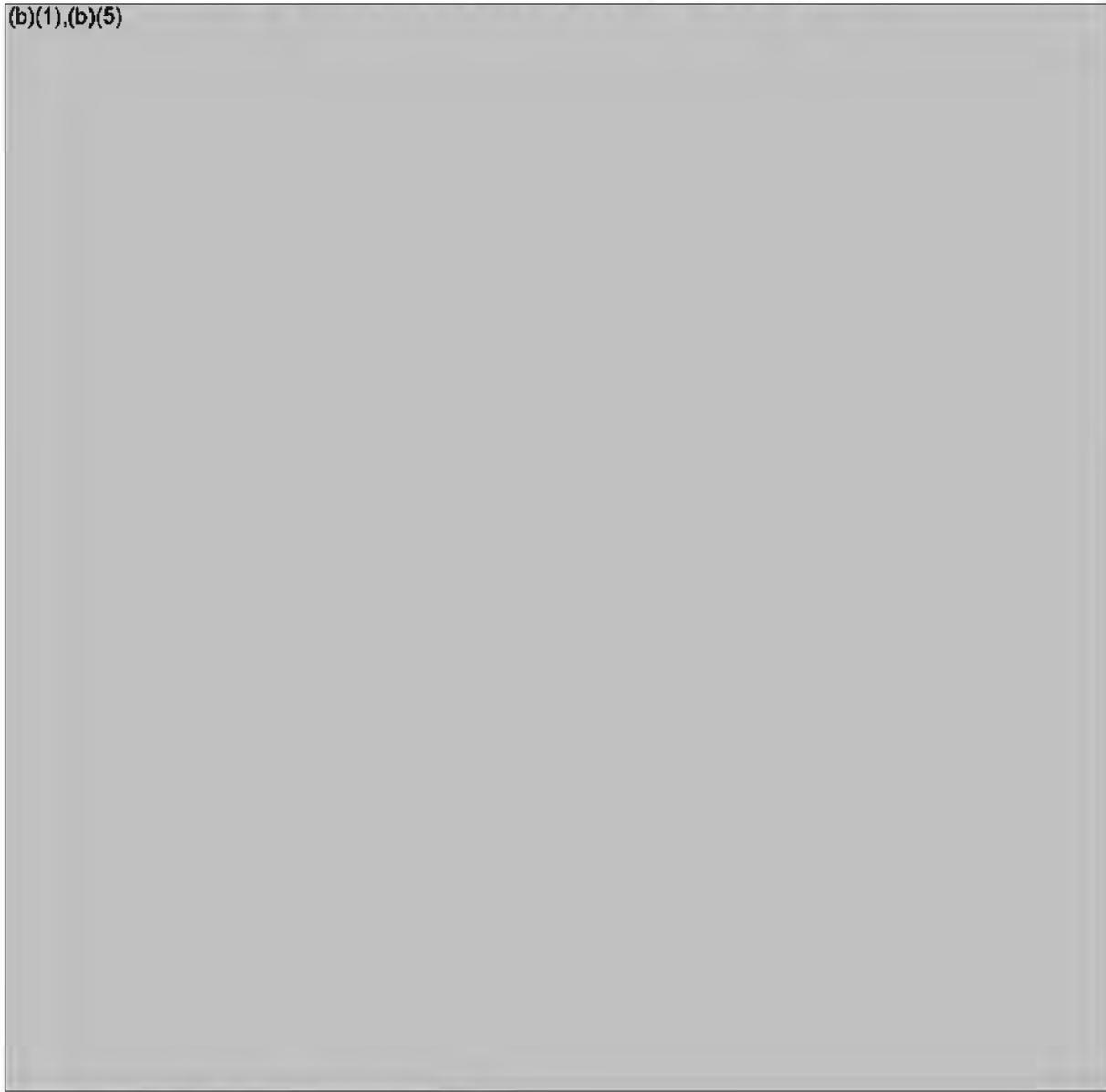
(b)(1),(b)(5)

(b)(5),(b)(7)(A)

Derived From: Multiple Sources
Declassify On: 25X1-Human

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(b)(1),(b)(5)

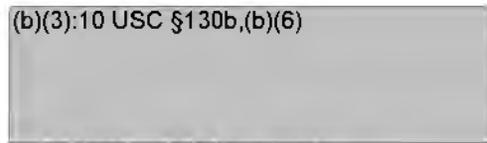


9. (U) Board Members' Voting Results

(b)(5)



(b)(3):10 USC §130b,(b)(6)



Colonel, U.S. Air Force
Presiding Officer

Derived From: Multiple Sources
Declassify On: 25X1-Human

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Enclosure (4)
Page 5 of 5

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

25 August 2008

To: HADI, SALEM

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF HADI, SALEM A

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee stated he bought a plane ticket with funds provided by his brother and traveled from his home in Yemen to Karachi, Pakistan with 1000 United States dollars.
 - 2) The detainee stated he did not leave Yemen until just shortly before the attack on USS COLE.
 - 3) The detainee stated he met a man at a local mosque in Pakistan. This man influenced the detainee to go to Afghanistan for jihad in 1997.
 - 4) Although influenced by this man, the detainee stated the idea of jihad was previously on his mind. The detainee stated cassette tapes regarding jihad in Afghanistan were available in mosques.
 - 5) The detainee stated he and the man traveled from Karachi, Pakistan to Quetta, Pakistan.
 - 6) The detainee stated he was in Quetta, Pakistan for less than a week.
 - 7) Next, the detainee stated he traveled to Kandahar, Afghanistan and stayed three or four days at a guest house operated by a Yemeni national.

ISN 131
DMO Exhibit 01
Page 1 of 5

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF HADI, SALEM A

- 8) The detainee stated he then traveled to Kabul, Afghanistan, because Taliban forces, at war with Masood's forces, controlled this area.
- 9) The detainee stated he was stationed on the second line approximately two or three kilometers behind the front lines, and would move to the front lines when there was significant fighting. After four months he was moved to the front lines, and for the next three months he rotated back and forth between the two lines.
- 10) After spending approximately three months in Kabul, Afghanistan, the detainee stated he and his group were sent North to fight the Northern Alliance near Konduz, Afghanistan.
- 11) The detainee stated he voluntarily went to support the jihad, and was not deceived by anyone into going. The detainee stated he fought against the Northern Alliance because they were regarded as oppressors, not infidels.
- 12) While traveling to Konduz, the detainee stated he and his group spent one day in another guest house with a group of another 20 to 30 people.
- 13) The detainee stated his group then traveled approximately two hours by car to the front lines. When they arrived there was no fighting except for some sporadic gunfire. The detainee's group guarded the area for the following two to three months.
- 14) Approximately two weeks before Ramadan 2001, the man the detainee identified as his overall Taliban leader gave his group instructions to retreat. The detainee stated he did not know why they were retreating, but he retreated with his group.

b) Connections/Associations

- 1) The detainee stated he fought with the Taliban in Afghanistan from July 2001 to December 2001.
- 2) During the time on the frontline, the detainee stated he was with a group of approximately 20 Taliban fighters, primarily Pakistanis and Arabs.
- 3) The detainee was reportedly on the Northern front line with Abdul Hadi al Iraqi.
 - a. Abdul Hadi al Iraqi was reportedly a senior al Qaida member and a former commander of the Arab brigade.
 1. The 55th Arab Brigade reportedly was Usama bin Laden's primary formation supporting Taliban objectives against the Northern Alliance and Coalition Forces.

UNCLASSIFIED

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF HADI, SALEM A

- 4) The detainee was listed as a participant for Artillery Class Two.
- 5) The detainee reportedly had been one of two sub-commanders until the original commander was injured in late September 2001. The detainee reportedly was the oldest of the group and became the commander.
- 6) The detainee named a Yemeni and a Saudi as two people in his unit, and who were both corroborated by another report.
- 7) The detainee was reported as either a Yemeni or Saudi who goes by the name Usama, but whose real name is Salem. The detainee reportedly carried a Kalashnikov and was in a group of 20 to 22 people on the front line.

e) Training

- 1) The detainee stated he received a Kalashnikov rifle from a distribution center one day before he was sent to the front line.
- 2) The detainee stated he did not receive any training on the weapon but did admit he knew how to fire a PK as well as an RPG.
- 3) The detainee stated he did not need training from the Taliban because he learned to use small arms while growing up in Yemen.
- 4) The detainee reportedly trained at the al Farouq training camp and was on the frontlines with a Kalashnikov.
 - a. The al Farouq Training Camp in Afghanistan was reportedly funded by al Qaida and therefore more advanced than other training camps in Afghanistan. The training at al Farouq reportedly consists of two week periods of weapons training, a basic commando course, topography, and explosives.

d) Intent

- 1) The detainee stated that he preferred the Taliban government to the government back in Yemen. He believed that the government in Yemen should strictly follow Sharia Law.
- 2) The detainee stated that he intended to die as a martyr when he fought in Afghanistan and believes he will be rewarded by God for fighting and being detained. While the detainee still desires to die as a martyr and believes Allah calls all Muslims to wage jihad, he does not know if he will fight jihad again.

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF HADI, SALEM A

- 3) The detainee stated he believes America is the enemy of all Muslims and is waging war against Islam. When asked about waging jihad against the United States or its interests, the detainee stated that it was a very difficult question and he would not answer it.

e) Other Relevant Data

- 1) The detainee stated his group arrived at the Qala-I-Jangi Fortress and was instructed to surrender to Northern Alliance forces.
- 2) The detainee stated he was searched and placed in a row along with other Taliban with his hands tied. After an hour or two, shooting started and the detainee was immediately shot in the chest and legs. The detainee lost consciousness and, when revived, he was back in the cell block.
- 3) The detainee stated he spent the next week in the cell block. He was then transported by the Northern Alliance to the Mazar-e-Sharif prison.
- 4) The prisoners from the Qala-I-Jangi were reportedly placed in trucks and taken to Sheberghan, Afghanistan, where they were fed, clothed, and treated by the International Committee of the Red Cross. The prisoners were reportedly later handed over to United States forces and flown to Kandahar, Afghanistan, followed by movement to the detention facility at Guantanamo Bay, Cuba.
- 5) The detainee was reportedly seen at Sheberghan, Afghanistan and Kandahar, Afghanistan prisons.
- 6) The detainee stated he was born in 1976 in Hadramut, Yemen.
- 7) The detainee stated he has a brother and sister and that he is the middle child. He stated his father passed away but his mother is alive.
- 8) The detainee stated he is divorced with no children.
- 9) The detainee stated he finished Radfan Middle School in 1997, and worked on a small farm for approximately six months before traveling to Pakistan.
- 10) The detainee stated he farmed and did odd jobs for his family and neighbors from the time he stopped attending school in 1997 to the time he went on jihad.
- 11) While the detainee has a Saudi accent, he stated he never traveled to Saudi Arabia. The detainee stated he has a Saudi accent because he lived close to the Saudi border while in Yemen.

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF HADI, SALEM A

4. The following primary factors favor release or transfer:

- a) The detainee stated he did not receive any formal training at a training camp.
 - b) The detainee stated he did not assume a leadership position when his immediate commander was injured on the front lines.
 - c) The detainee stated he did not recognize the alias given to him.
 - d) The detainee stated selection of leaders within the Taliban was based on faith and not age. The detainee stated he did not fill a leadership role while fighting with the Taliban in Afghanistan.
 - e) One report corroborated the detainee's account of the leadership transition once the first unit leader was wounded.
 - f) The detainee stated he had no knowledge of the attacks in the United States prior to their execution on 11 September 2001. He stated he had no knowledge of any rumors or plans for future attacks on the United States or United States interests.
 - g) The detainee stated he did not know the reported senior leader of the Taliban/al Qaida unit with which the detainee has been associated.
5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010
SECRET//NOFORN
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *[Signature]*

FROM: Director, OARDEC (U) *13 12/7/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD (ARB) ASSESSMENT AND RECOMMENDATION ICO ISN 153 (YEMEN)

- o (S//NF) Subject ARB was held on 16 Oct 2008, resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: [Redacted]
- Other Factors: [Redacted]

- o (S//NF) Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)
 [Redacted]

- o (S//NF) Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	[Redacted]
FBI	[Redacted]

- o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

- o (S//NF) RECOMMENDATION: (b)(1),(b)(5)
 (b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *[Signature]* 12-30-08
 Or Transfer _____ Release _____

- o (U) Attachments:

Tab A OARDEC SJA Legal Sufficiency Review
 Tab B Presiding Officer's Assessment and Recommendation

SECRET//NOFORN

SECRET//ORCON/NOFORN

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 153

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee being present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee was uncooperative or unresponsive and refused to attend the interview.

d. (U) The ARB confirmed copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the detainee in accordance with Standard Operating Procedures. The AMO received written confirmation of acceptance by the detainee.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 3 package.

b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-27.

Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 153
Enclosure (5)
Page 1 of 6

SECRET//ORCON/NOFORN

SECRET//ORCON/NOFORN

(U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included in enclosure (5):

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)

(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)

(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)

(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1)

SECRET//ORCON/NOFORN

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Additional Information

(b)(1),(b)(5)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. (S//NF) Threat Level. (b)(1),(b)(5)

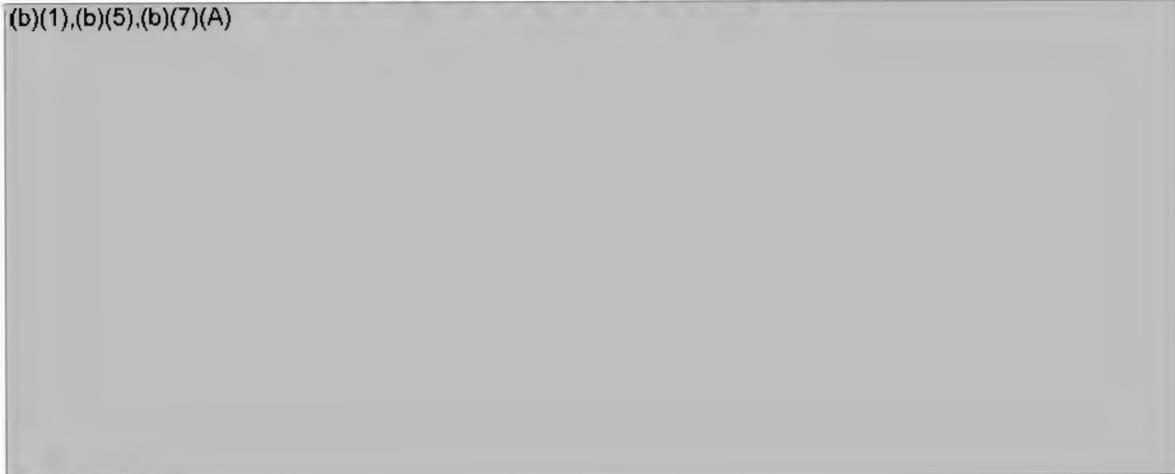
(b)(1),(b)(5)

Derived From: Multiple Sources
Declassify On: 25X1-Human

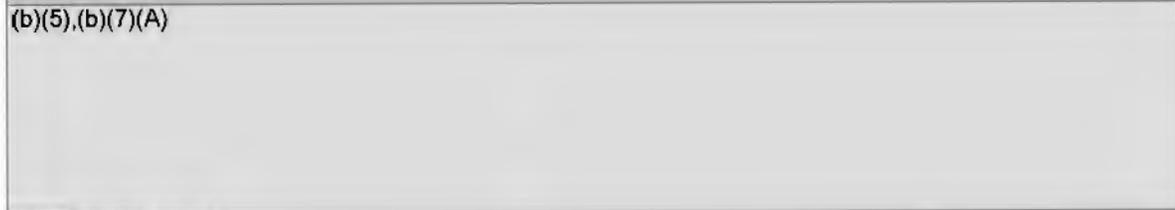
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Enclosure (5)
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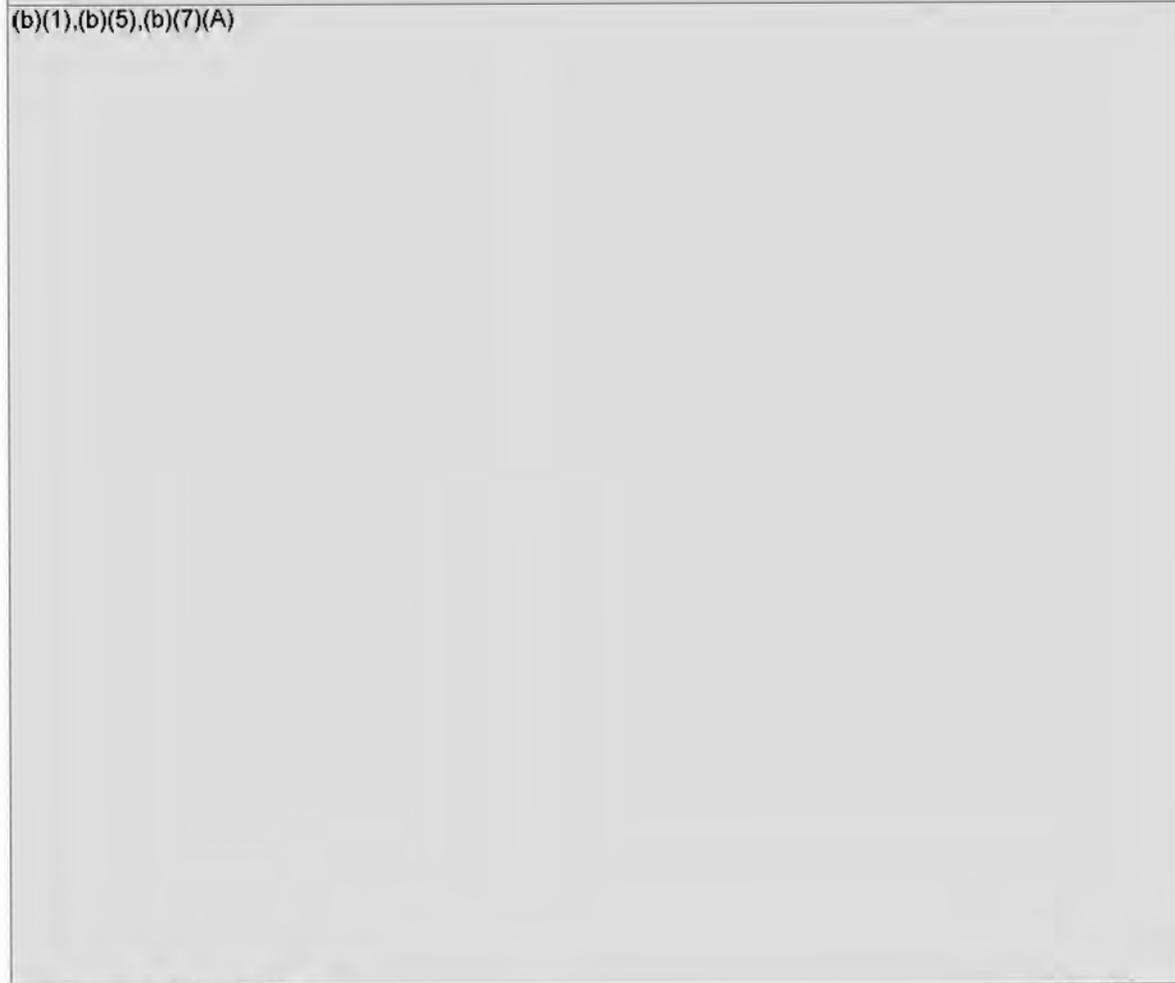
(b)(1),(b)(5),(b)(7)(A)



(b)(5),(b)(7)(A)



(b)(1),(b)(5),(b)(7)(A)



Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 153
Enclosure (5)
Page 4 of 6

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

b. **(S//NF) Intelligence Value.** (b)(1),(b)(5)

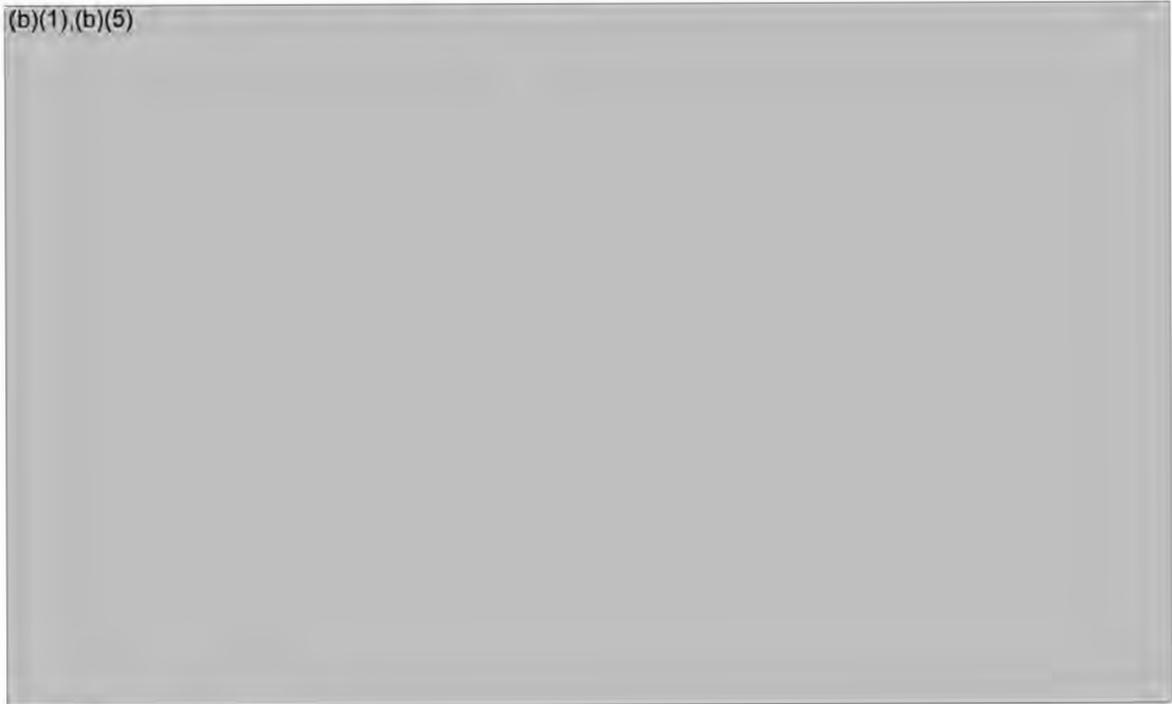
(b)(1),(b)(5)

Derived From: Multiple Sources
Declassify On: 25X1-Human

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Enclosure (5)
Page 5 of 6

c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)



d. (U) Recommendation.

(b)(1),(b)(5)

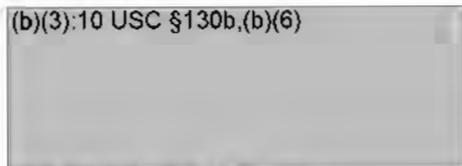


8. (U) Board Members' Voting Results

(b)(5)



(b)(3):10 USC §130b,(b)(6)



Colonel, U. S. Air Force
Presiding Officer

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

08 October 2008

To: SULYMAN, FAYIZ AHMAD YAHIA

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF SULYMAN, FAYIZ AHMAD YAHIA

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee stated a Sheikh asked him to go to work at the al Farouq mosque in Jeddah, Saudi Arabia. The detainee stated the Shiekh told him that the current Imam was not doing a good job and a replacement was needed. The detainee stated this is how he came to work as an Imam for a company named Mammoud Said Pharmaceutical Industries.
 - 2) The detainee stated this Shiekh financially supported the al Qaida organization and was associated with the owner of the pharmaceutical company in Jeddah, Saudi Arabia. The detainee stated the pharmaceutical company had a perfume division and al Qaida commonly referred to perfume as being poison.
 - 3) The detainee stated he flew from Sanaa, Yemen to Dubai, United Arab Emirates, flew on to Karachi, Pakistan, and then took a bus to Quetta, Pakistan. The detainee stated he then traveled by taxi to Kabul, Afghanistan, and again by taxi to Jalalabaad, Afghanistan.
 - 4) Reportedly, the detainee and a man were together in Bosnia and were receiving funds which were used to support the Mujahedin's fight against the Serbs. Reportedly, this man was an Emir in Afghanistan and very close to Usama bin Laden. He was able to meet with Usama bin Laden any time he wanted.

ISN 153
DMO Exhibit 01
Page 1 of 3

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF SULYMAN, FAYIZ AHMAD YAHIA

- 5) Reportedly, the detainee left Bosnia and fled to the Hassan guest house in Kandahar, Afghanistan.
 - a. Reportedly, the Hassan guest house in Kandahar, Afghanistan, was used as a reception point for Mujahedin arriving in Afghanistan. It was used to facilitate travels to the frontlines and for travels to the Afghan training camps. This guest house was also used as a storage and distribution facility for mortars and rifles.
- 6) Reportedly, the detainee received training in Afghanistan and fought with the Taliban.
- 7) Reportedly, the detainee was in Tora Bora during the time everyone was escaping in a convoy to Pakistan.

b) Connections/Associations

- 1) Reportedly, the detainee was a religious leader in Afghanistan and was with al Qaida for a long time.
- 2) Reportedly, the detainee met with Usama Bin Laden in Tora Bora and several other unidentified places within Afghanistan. Reportedly, this three to four hour meeting was not exclusively a meeting between the detainee and Usama bin Laden, as other unidentified leaders attended to discuss the topic of nuclear, biological, chemical and medical background information.
- 3) The detainee lived with an individual.
 - a. The individual in the previous statement worked on a project to create a CD-ROM containing the encyclopedia of jihad, a training manual of sorts of explosives, tactics and so forth. The goal of this project was to create a single, easily portable disk that Mujahedin could carry with them from Afghanistan to their home countries, all without attracting the scrutiny from security.

c) Training

- 1) Reportedly, the detainee had a direct link to Taliban and al Qaida leaders, trained at al Farouq Camp and received instruction from a man during the escape from Tora Bora.
 - a. Reportedly, the al Farouq Training Camp in Afghanistan was funded by al Qaida and therefore more advanced than other training camps in Afghanistan. Reportedly, the training at al Farouq consists of two week periods of weapons training, a basic commando course, topography and explosives.

UNCLASSIFIED

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF SULYMAN, FAYIZ AHMAD YAHIA

b. The man mentioned above was responsible for running the al Qaida training camp in Khowst, Afghanistan, which teaches small weapons, explosives and artillery operations. He had close ties to Usama bin Laden and saw Usama bin Laden at least every two months.

2) Reportedly, the detainee trained to make poisons at a special training course at the Kandahar airport in Afghanistan. Reportedly, the detainee could take meat and let it rot to make a toxin used to poison people.

d) Other Relevant Data

1) The detainee stated he was in Afghanistan and then traveled at night on foot to Pakistan. The detainee stated he later met up with 10 to 15 other Arabs moving toward the Pakistani border. The detainee stated he was arrested with those Arabs by the Pakistanis after crossing the border.

2) Reportedly, the detainee was an Imam at the King Abdul Azizz Airport and for a company mosque, which were both located in Jeddah, Saudi Arabia.

4. Factors Favoring Release or Transfer:

a) The detainee stated he was aware of fatwas related to the jihad in Chechnya and denied ever going on a jihad.

b) The detainee stated he had no connection with al Qaida or the Taliban. The detainee stated he has never been in any type of trouble and that he has never been arrested, jailed or in prison.

c) The detainee stated he was never trained on the use of weapons.

d) The detainee stated he had no affiliation with the Taliban.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

SECRET//NOFORN
ACTION MEMO

FOR: Designated Civilian Official
 FROM: Director, OARDEC *10/5/08*

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION**
ICO ISN 156 (Yemen)

o Subject ARB was held on 17 Mar 08 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o Intelligence inputs used in the ARB's determination of this EC's case include:
 (b)(1),(b)(5)

o Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: (b)(1),(b)(5)
 (b)(1),(b)(5)

(b)(1),(b)(5) (Transfer) _____

Or Detain *[Signature]* Release _____

Attachments: *6-9-08*

Tab A OARDEC ASJA Legal Sufficiency Review
 Tab B Presiding Officer's Assessment and Recommendation

SECRET//NOFORN

SECRET//ORCON/NOFORN

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 156

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC appeared to understand the process.

(b)(1),(b)(5)



f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

SECRET//ORCON/NOFORN

3. (U) Summary of Information Considered

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7):

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)



(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)



(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)



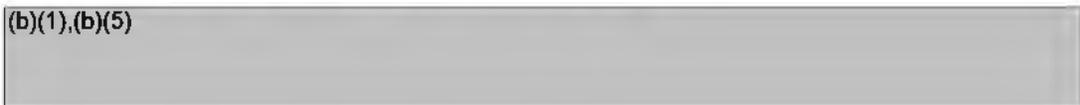
(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)



(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)



(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(b)(5)

a. (U) Recruitment

(b)(1),(b)(5)

b. (U) Travel

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

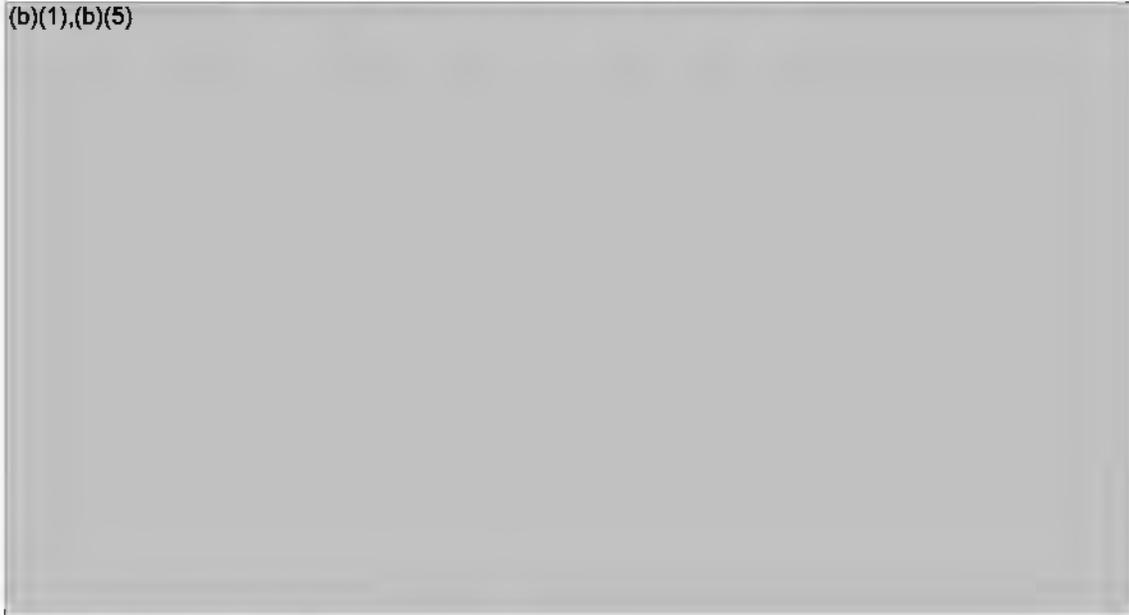
c. (U) Training

(b)(1),(b)(5)

d. (U) Operations, Combat and Capture

(b)(1),(b)(5)

(b)(1),(b)(5)



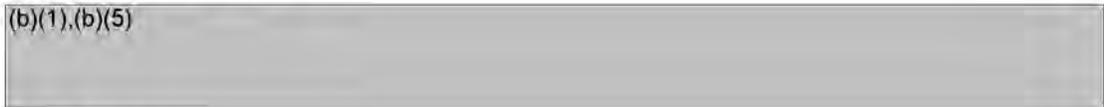
e. (U) Organizational Affiliations

(b)(1),(b)(5)



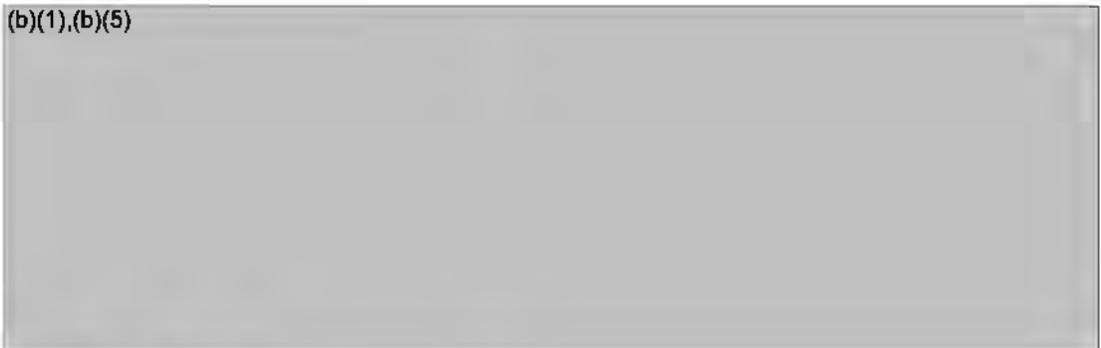
f. (U) Individual Affiliations

(b)(1),(b)(5)



g. (U) Behavior

(b)(1),(b)(5)

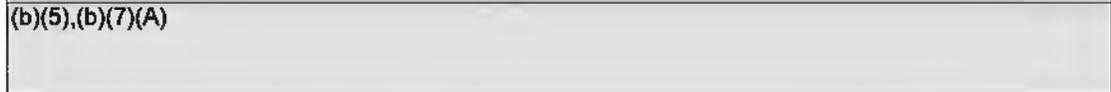


h. (U) Other Information

(b)(1),(b)(5)



(b)(5),(b)(7)(A)



SECRET//ORCON/NOFORN

4. (U) Third Party / Home Country Statements

a. (U) The detainee is a citizen of Yemen. No third party or home country statements were provided.

5. (U) Consultations with the Administrative Review Board Legal Advisor

a. (U) There was no legal consultation before or during the ARB session.

6. (U) Conclusions and Recommendation of the Administrative Review Board

a. **(S//NF) Threat Level.** The detainee poses a high threat to the U.S. and its allies due to the following factors:

(1) (S//NF) The EC is assessed to be a member of al Qaida. His name and aliases were found on al Qaida affiliated documents and he admitted occupying known al Qaida guesthouses.

(2) (S//NF) The EC adheres to extremist Islamic ideology and identified himself as a "willing terrorist against the U.S."

(3) (S//NF) The EC was assigned to an artillery unit and is assessed to have received advanced artillery training in Afghanistan.

(4) (S//NF) The EC is assessed as being associated with the Pakistani extremist group Harkat ul Jihad al Islami (HUJI).

b. **(S//NF) Intelligence Value.** The detainee is of medium intelligence value due to the following factors:

(1) (S//NF) The EC is assessed to have been a member of the Islah party with access to party members and possibly plans and operations; therefore, he may be able to provide information on Islah's leadership, recruitment networks, and operations.

(2) (S//NF) The EC stayed at a series of guesthouses in Pakistan and Afghanistan, and had access to other al Qaida and Taliban members; therefore, he may be able to provide information on al Qaida and Taliban support networks from Yemen through Pakistan to Afghanistan.

(3) (S//NF) Through the EC's relationships with al Qaida operatives and associates in Kabul, he may be able to provide information on al Qaida's guesthouses and connections to Syrian extremists.



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC *AS 2/13/08*

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION**
ICO ISN 171 (Yemen)

o Subject ARB was held on 4 Apr 08 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o Intelligence inputs used in the ARB's determination of this EC's case include:
 (b)(1),(b)(5)

o Agency assessments follow:

DASD-DA	(b)(1),(b)(6),(b)(7)(A)
CIA	
FBI	

o The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: (b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *[Signature]* *S-A*

Or Transfer _____ Release _____

Attachments:

- Tab A OARDEC ASIA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 171

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee was uncooperative or unresponsive.

d. (U) The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Detention Group (JDG) point of contact for delivery to the detainee. The AMO received written confirmation of delivery to the detainee from the JDG.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 3 package.

b. (U) The ARB reviewed and considered information contained in DMO-1 through DMO-39.

c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)

(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)

(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)

(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Conclusions and Recommendation of the Administrative Review Board

(b)(1),(b)(5)
a. ~~(S/NF)~~ Threat Level.

(b)(1),(b)(5)

(b)(1),(b)(5)
b. ~~(S/NF)~~ Intelligence Value.

(b)(1),(b)(5)

(b)(1),(b)(5)

c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)

d. (U) Recommendation.

(b)(1),(b)(5)

7. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

Colonel, U.S. Army
Presiding Officer

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

24 March 2008

To: ALAHDAL, ABU BAKR IBN ALI MUHAMMAD

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF ALAHDAL, ABU BAKR IBN ALI MUHAMMAD

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a. Commitment
 1. The detainee stated he was a member of the Yemeni political Islah party, but added his membership in the party had nothing to do with his participation in jihad.
 - i. A leader of the Islah party was identified as having worked with al Qaida for a number of years, as having helped the organization recruit new members, and as having been involved in purchasing weapons for al Qaida and other terrorist groups.
 2. The detainee stated he was recruited by an individual who was a jihadist and well known in the areas of Hudaydah, and Beit al-Ahdel, Yemen and spoke of the jihad in mosques.
 3. The detainee stated he became interested in going to Afghanistan when he heard the Taliban had destroyed the Buddhist statues in Bamriyan, Afghanistan. The detainee felt the idyllic statues were an affront to Islam and

ISN 171
DMO Exhibit 1
Page 1 of 6

UNCLASSIFIED

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL AHDAL, ABU BAKR IBN ALI MUHAMMAD

needed to be destroyed. The detainee stated he respected the Taliban for what they did.

4. The detainee stated he sought out an individual to give him advice on how to get to Afghanistan. The individual is something of a local hero in Hudaydah because he fought in Afghanistan against the Soviets.
5. The detainee stated the individual advised the detainee on his route of travel into Afghanistan via Pakistan. The detainee gave the individual pictures of himself, a completed passport form, and an unknown sum of Yemeni money. In return, the detainee received a new Yemeni passport, plane tickets to Karachi, Pakistan, and 150 United States dollars. The detainee stated the individual advised him to use United States dollars wherever possible. The detainee took 650 United States dollars with him. The detainee stated the passport appeared to be genuine.
6. The detainee stated he was told by the individual to report to the Taliban office in Quetta, Pakistan.
7. The detainee stated that in April 2001 he departed Yemen for Karachi, Pakistan and had a layover in Dubai, U.A.E. but did not leave the plane.
8. The detainee stated he took a bus to Quetta and approached the Taliban office declaring that he wanted to live in a truly Islamic country. He asked to arrange entry and volunteered to fight with the Taliban.
9. The detainee stated that from Karachi, Pakistan he took a taxi to Quetta, Pakistan and was dropped off near the Daftar Taliban Office. The detainee checked in and told them he wanted to see Afghanistan. The detainee was given lodging and told to wait.
 - i. The Daftar Taliban office, located in Quetta helps Arabs cross the border into Afghanistan by coordinating travel and lodging for a fee.
10. The detainee stated he left the Taliban office in Quetta for Kandahar, by taxi cab that he paid for himself. There were also five or six Afghani men in the taxi.
11. The detainee stated that at the Pakistan-Afghanistan border the group was told to exit the car, and they walked over the border, then they got back in the car. The driver dropped the detainee off at a Taliban house in Kandahar.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL AHDAL, ABU BAKR IBN ALI MUHAMMAD

12. The detainee stated he traveled to Afghanistan in May 2001 in order to teach Islam and Arabic.
13. The detainee stated he took a bus to a house in Kabul, Afghanistan. The detainee initially stayed at the house for only one week, but returned several times during his stay in Afghanistan. The second time was for a week, and the third was for approximately two months.
14. The detainee stated that after one week in Kabul he then visited Jalalabad, Afghanistan for two weeks, touring the market and mosque, and was assigned a room at the guest house.
15. The detainee stated that upon his return to the Kabul house, he asked if he could go to see the front line.
16. The detainee stated he went to the Bagram, Afghanistan line in mid-July 2001.
17. The detainee stated he proceeded to Bagram, Afghanistan and presented himself to the Taliban commander there.
18. The detainee stated that after re-familiarizing himself with operating a Kalashnikov he was assigned to a guard position on the front.
19. The detainee stated he was in the hospital in Kabul for approximately two months due to malaria. The detainee was in the hospital in Kabul when he heard about the attack on the World Trade Center and the Pentagon.
 - i. The detainee stated he was hospitalized in Kabul and was in recuperation for nearly two months when the aerial bombardment started. The explosions were concentrated in areas inhabited by the Arabs so the detainee decided that if he was going to die he should return to the front and die in the service of Allah in battle.
20. The detainee stated he and three companions left the Bagram line area for Jalalabad, Afghanistan, via car.
21. The detainee stated he went to Kabul and then to Jalalabad where he stayed for approximately three days before the fall of Kabul. The detainee waited to be recalled to the front lines of the Taliban and then withdrew to a village on the outskirts of Jalalabad.

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL AHDAL, ABU BAKR IBN ALI MUHAMMAD

22. The detainee stated that on the outskirts of Jalalabad, the group abandoned the car and set out on foot with many other refugees and fleeing fighters. They were directed by fellow Taliban to the Najim Jihad area where they were given food and shelter. The detainee stated that from Najim Jihad the escaping Taliban fighters followed footpaths into the mountains toward Pakistan.
 - i. Nazim Jihad, in Jalalabad, Afghanistan was identified as being Usama bin Laden's compound.
 23. The detainee stated he was part of a 12-15 man unit deployed on the Bagram line which provided security for a Taliban rear headquarters.
 24. The detainee was identified as having fought at Tora Bora, Afghanistan.
 25. The detainee was identified as having helped organize and distribute food to various fighters and was also in charge of a group of fighters in Bagram, Afghanistan.
 26. The detainee was identified as having been in Kabul and Bagram, at the Said Position.
 - i. Said was identified as being a position on the front line.
- b. Training
1. The detainee stated that once in Afghanistan, he was trained with a Kalashnikov rifle and assigned to a security unit.
 2. The detainee stated he was trained on the Kalashnikov rifle, but received the training in Yemen from his 86-year-old grandmother.
- c. Connections/Associations
1. The detainee's name was on a document listing 324 Arabic names, aliases and nationalities recovered from safe house raids associated with suspected al Qaida in Karachi, Pakistan.
 2. The detainee's name was listed on a chart listing captured Mujahedin associated with a senior al Qaida lieutenant.

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL AHDAL, ABU BAKR IBN ALI MUHAMMAD

3. The detainee stated that while escaping Afghanistan with two other fighters and their leader, he was given information by his leader that would lead him to places where he could find help, a place to hide, money, and help escaping the area.
 4. The detainee stated that a document provided to the detainee by his Taliban leader appeared to be phone numbers for, and the address of, the office of Islamic Jihad in Islamabad, Pakistan. The address and phone numbers for the Islamic Jihad office in Faisalabad, Pakistan were also listed.
 - i. Harakat Ul-Jihad-I-Islami, a Sunni extremist group, was founded in 1980 in Afghanistan to fight in the jihad against the Soviets. Harakat Ul-Jihad-I-Islami is located in Pakistan and Kashmir and trained members in Afghanistan until fall of 2001.
- d. Intent
1. The detainee stated he was proud to have been a Mujahedin fighting for the Islamic cause under the banner of the Taliban. Now that the Taliban is no more the detainee stated he will bide his time until a new Islamic nation arises and will join it to fight the enemies of Islam.
 2. When asked if he were a terrorist, the detainee required a definition and readily agreed he was a willing terrorist against the United States for its hostile position against Palestinian Muslims and other Arab populations.
- e. Other Relevant Data
1. The detainee stated that after six days of walking in the mountains his group broke into two-man units to reduce suspicion. He and a fellow Yemeni approached a concentration of other Arabs making their way to a village in Pakistan. The detainee stated the Arabs turned them in to the Pakistani authorities.
 2. The detainee stated he was captured in mid-December 2002.
 3. The detainee was transferred to U.S. military custody on 30 December 2001 from Kohat, Pakistan.
 4. The detainee had a handheld radio when he was captured and claimed it was used to communicate only with another Taliban fighter.

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL AHDAL, ABU BAKR IBN ALI MUHAMMAD

5. The detainee positively identified communication equipment as being similar to the radios in use by Taliban commanders in Afghanistan. The detainee stated he used a radio on a few occasions and described basic procedures for using a push-to-talk radio.
4. The following primary factors favor release or transfer:
 - a. The detainee denies having any knowledge of the attacks in the U.S. prior to their execution on 11 September 2001, and also denies knowledge of any rumors or plans of future attacks on the United States or United States interests.
 - b. The detainee stated he was sad for the civilians who died in the attack on the World Trade Center.
 - c. The detainee stated he had no contact with any senior members of al Qaida and is not a member of that organization. The detainee stated he is not interested in performing jihad in the name of any individual, including Usama bin Laden.
 - d. The detainee stated he has no special interest or expertise in electronics. The detainee explained that he had a band receiver while in Afghanistan so he could listen to a radio and he had a calculator so he could determine exchange rates for the currencies of the various countries he was visiting.
 - e. The detainee stated the only radio he had in his presence in Afghanistan was a one-way receiver he used to listen to the news. The detainee stated he never communicated with anyone over the radio.
 - f. The detainee stated he would like to go back to Yemen and live on his father's land and teach the Koran.
 5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

UNCLASSIFIED



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC *S 6/21/08*

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION**
ICO ISN 175 (Algeria)

o Subject ARB was held on 28 Apr 08 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o Intelligence inputs used in the ARB's determination of this EC's case include:
 (b)(1),(b)(5)

o Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: (b)(1),(b)(5)
 (b)(1),(b)(5)
 (b)(1),(b)(5)

[Signature]
 6-9-08

Or Transfer _____ Release _____

Attachments:

- Tab A OARDEC ASJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 175

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee appeared to understand the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

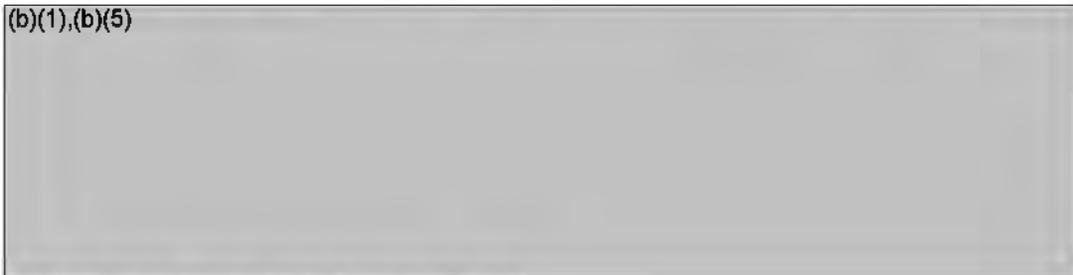
a. (U) The ARB reviewed the ARB 3 package.

b. (U) The ARB reviewed and considered information contained in DMO-1 through DMO-31.

c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)



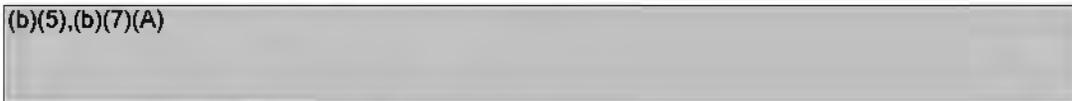
(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)



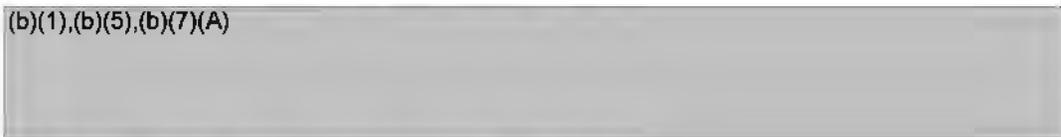
(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)



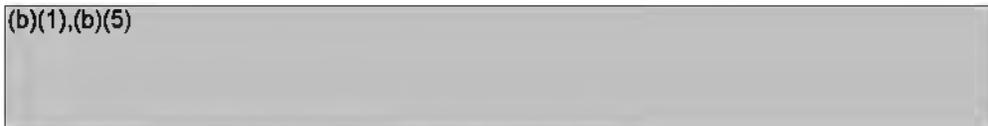
(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)



(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)



(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)



(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)



4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ Threat Level. (b)(1),(b)(5)

(b)(1),(b)(5)

(b)(1),(b)(5)

b. ~~(S//NF)~~ Intelligence Value. (b)(1),(b)(5)

(b)(1),(b)(5)

(b)(1),(b)(5)

[Redacted]

c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)

[Redacted]

d. (U) Recommendation.

(b)(1),(b)(5)

[Redacted]

7. (U) **Board Members' Voting Results**

(b)(5)

[Redacted]

(b)(3):10 USC §130b,(b)(6)

[Redacted]

Colonel, U.S. Air Force
Presiding Officer

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

14 April 2008

To: SA'ID, HASSAN MUJAMMA RABA'I

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF SA'ID, HASSAN MUJAMMA RABA'I

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee stated Algeria did not provide the type of environment for him to mature in his Islamic faith. The detainee also stated he learned about the pure Islamic state of Afghanistan and that the Taliban controlled approximately 95% of the country.
 - 2) The detainee stated he departed Algeria for Afghanistan on August 19, 2000 and stopped in Damascus, Syria because he was cheated by a Libyan travel agency that charged him too much money for his ticket.
 - 3) The detainee stated he tried to enroll in the Abu Noor Institute the first week he was in Syria. The detainee stated he was denied because they told him they would only accept applicants born after 1979
 - 4) The detainee stated he left Damascus, Syria on 25 June 2001 by bus to go to Iran and that the overall goal of the trip was Jalalabad, Afghanistan.
 - 5) The detainee stated he traveled to Tehran, Qam, Mashad, and then Zahedan, Iran. The detainee stated he was smuggled into Pakistan to an unknown location where he caught a bus to Quetta, Pakistan.

ISN 175
DMO Exhibit 1
Page 1 of 4

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF SA'ID, HASSAN MUJAMMA RABA'I

- 6) The detainee stated he was given assistance by the Tablighi organization in the form of contact with known smugglers. The detainee stated an individual told him he should go to the Tablighi office as they might be able to help him get into Pakistan.
 - i) Jamat-al-Tabligh has been supporting Islamic terrorist groups in south and southeast Asia under the cover of conducting religious activities. The group is closely aligned with other Pakistani terrorist organizations and the al-Qaida network.
 - 7) The detainee stated he stayed in Quetta, Pakistan and Kandahar and Kabul, Afghanistan before arriving in Jalalabad, Afghanistan.
 - 8) The detainee stated he attended, studied and lived at the Mohammed Khan Mosque in Jalalabad, Afghanistan from July to November 2001.
 - 9) The detainee stated the Mohammed Khan Mosque served as an Islamic study center and held classes on the Koran, Arabic language and grammar. The detainee stated there was a student center next to the mosque that was used exclusively by Taliban.
 - 10) The detainee was identified as a member of a group moved to Tora Bora, Afghanistan on Usama bin Laden's orders. The detainee was in charge of weapons inventory in Tora Bora, and the detainee's duties included handing out ammunition.
 - 11) The detainee was identified as working in one of the supply caves in Tora Bora, Afghanistan loading and unloading supplies for other Mujahedin.
 - 12) The detainee was identified as checking on a fighting group to make sure that it had enough supplies.
 - 13) The detainee's name was found on a chart listing emirs from Tora Bora, Afghanistan.
- b) Connections/Associations**
- 1) The detainee's name was recovered from an English language translation of a chart listing the names of captured Mujahedin.
 - 2) The detainee's name was found on a document listing suspected al Qaida Mujahedin.
- c) Training**
- 1) The detainee was identified as a trainee at the al Farouq training camp in Kandahar, Afghanistan.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF SA'ID, HASSAN MUJAMMA RABA'I

- i) The al Farouq Training Camp in Afghanistan was funded by al Qaida and more advanced than other training camps in Afghanistan. The training at al Farouq consists of two week periods of weapons training, a basic commando course, topography, and explosives.
- 2) The detainee was among 50 individuals chosen to be bodyguards for Usama bin Laden because he was one of the best trained and was about to graduate from the al Farouq training camp.

d) Intent

- 1) The detainee stated he felt political motivation and claimed a properly declared fatwa is a legitimate reason for participating in jihad.
- 2) The detainee told interviewers and a linguist that since they were unbelievers, they were his enemy.

e) Other Relevant Data

- 1) The detainee stated he left Jalalabad, Afghanistan on foot with unknown Arabs and Pakistanis in November 2001 when the city fell. The detainee stated he went into the mountains and stayed in an unknown location for approximately one month. The detainee stated that an Afghan guide led him and approximately twenty other Arabs to Pakistan, where he was captured by Pakistani authorities.
- 2) In September 2004, the detainee admitted to having used a false name since his arrival in Guantanamo Bay, Cuba. The detainee then claimed his real name is Ghalaab Bashir and his birthday is actually 01 January 1976.

4. The following primary factors favor release or transfer:

- a) The detainee claimed not to have participated in jihad activities.
- b) The detainee stated he never had any military training and was studying in Afghanistan with a group in a mosque until he was captured.
- c) The detainee denied having any contact with the Taliban while in Afghanistan and stated that he was never solicited to join the Taliban to fight against the Northern Alliance.
- d) The detainee stated that some people fight jihad, but he could not fight jihad and martyr himself because he had not sought the permission of his parents.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF SA'ID, HASSAN MUJAMMA RABA'I

- e) The detainee stated he was not sure if the Taliban stayed in the student center next to the Mohammed Khan Mosque or if it was an office of some kind. The detainee stated he was told that he was not allowed in the student center and that he never went in.
- f) The detainee denied having any knowledge of the attacks in the United States prior to their execution on 11 September 2001, and denied knowledge of any rumors or plans of future attacks on the United States or United States interests. The detainee stated the attacks were not condoned by Islam, and that it was a crime.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

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Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC *AS 5/5/08*

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION**
ICO ISN 178 (Yemen)

o Subject ARB was held on 10 Apr 08 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)

o Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	(b)(1),(b)(5),(b)(7)(A)
FBI	

o The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: (b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *[Signature]*
 Or Transfer 3-19 Release _____

Attachments:

- Tab A OARDEC ASJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

**(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE
REVIEW BOARD DECISION FOR ISN 178**

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC was uncooperative or unresponsive.

d. (U) The Detainee refused to attend his ARB interview. The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Detention Group (JDG) point of contact for delivery to the EC. The AMO received written confirmation of delivery to the EC from the JDG.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO-presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 3 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6):

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)

(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)

(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)

(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant).

(b)(5)

a. (U) Recruitment

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

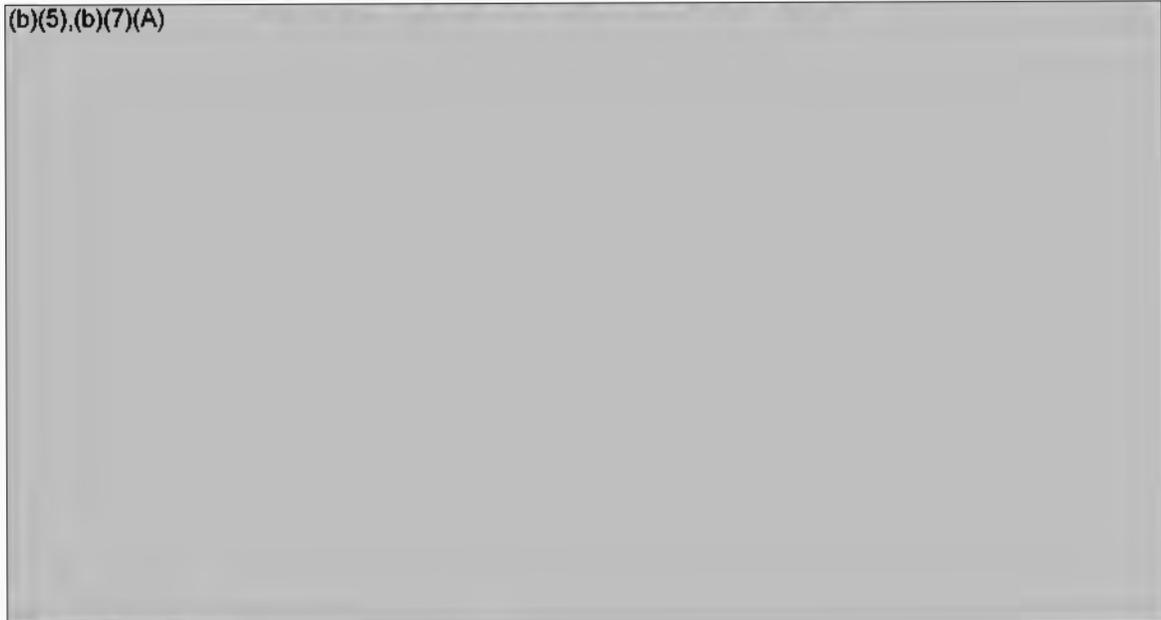
(b)(5),(b)(7)(A)

(b)(1),(b)(5)

b. (U) Travel

(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

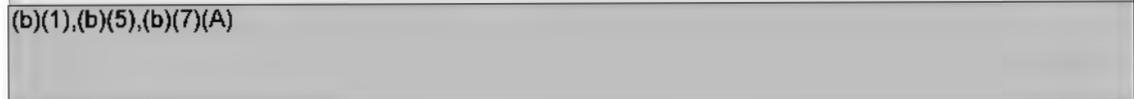


c. (U) Training

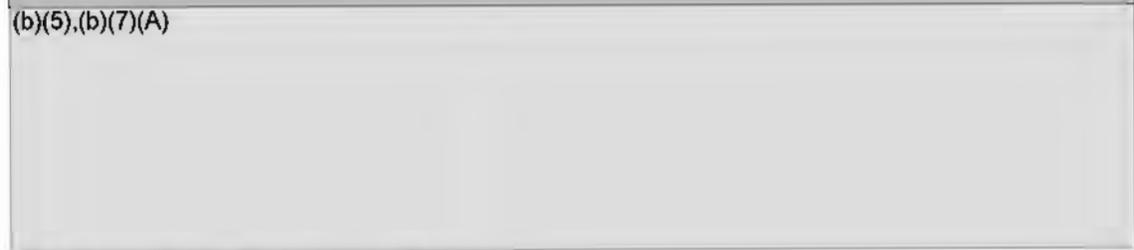
(b)(5),(b)(7)(A)



(b)(1),(b)(5),(b)(7)(A)



(b)(5),(b)(7)(A)



d. (U) Operations, Combat and Capture

(b)(5),(b)(7)(A)



(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

e. (U) Organizational Affiliations

(b)(1),(b)(5)

(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

f. (U) Individual Affiliations

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

(b)(1),(b)(5)

g. (U) Behavior

(b)(1),(b)(5)

(b)(1),(b)(5)

h. (U) Other Information

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

i. (U) Factors in Support of Release

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

5. (U) Third Party / Home Country Statements

(b)(5)

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ Threat Level.

(b)(1),(b)(5)

(b)(1),(b)(5)

b. ~~(S//NF)~~ Intelligence Value.

(b)(1),(b)(5)

(b)(1),(b)(5)

c. ~~(S//NF)~~ Detainee Treatment Act Consideration.

(b)(1),(b)(5)

d. ~~(S//NF)~~ Recommendation.

(b)(1),(b)(5)

8. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

Colonel, U.S. Air Force
Presiding Officer

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

04 March 2008

To: BA'AWDHA, TARIQ ALI ABDALLAH AHMAD

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF BA'AWDHA, TARIQ ALI ABDALLAH AHMAD

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.

2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.

3. The following primary factors favor continued detention:

a) Commitment

- 1) The detainee stated he had been arrested on two different occasions in Jeddah, Saudi Arabia. The first time, the detainee spent about four days in jail for hitting the son of his school director at his school, al Faysal Medressa school. The second time, the detainee spent one day in jail for running a red light. The detainee stated he had no further instances of problems with the police.
- 2) The detainee stated he has traveled internationally to Yemen in approximately 1998, where he preached for one month with members of al Dawa, an Islamic preaching group.
- 3) The detainee has a Yemen passport that was issued from the Yemen embassy in Saudi Arabia in approximately 2000.
- 4) The detainee stated he noticed videos in a market that were being sold which were commentaries produced by Mujahedin that portrayed the jihad struggle in Chechnya and Bosnia.
- 5) The detainee stated that in June 2001, after watching the videos about jihad, he asked his parents for their permission to go to Afghanistan, but they refused. The detainee decided to go anyway, planning to go and get training to "be ready" and "become prepared" to

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DMO Exhibit 1
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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF BA'AWDHA, TARIQ ALI ABDALLAH AHMAD

join the jihad.

- 6) The detainee stated that in June 2001 he decided to go to Afghanistan. The detainee stated he had saved some money from working for his father and some money from his own job totaling about 3,000 Saudi riyals. The detainee stated that after he gathered his money, he went and told his parents he was going to Jordan with the al Dawa group and they gave their consent.
- 7) The detainee stated his main goal was to be trained to fight the jihad, which the detainee would not be able to do if he joined the Saudi or Yemeni Army. The detainee also noted that if he did join the military, he would be forced to stay with the army and would not be able to travel to be trained to fight the jihad.
- 8) The detainee stated that three days prior to the detainee's departure to Afghanistan, he obtained a visa from the Pakistani Embassy in Jeddah, Saudi Arabia. The detainee left Jeddah, Saudi Arabia, and took a bus to Amman, Jordan. The detainee stayed four days in Amman, Jordan, at an unknown location and then took a bus to al Zarqa, Jordan, where he met up with the al Dawa group.
- 9) The detainee stated he went to Amman, Jordan, to export Wahabi Islam via the Jamat-al-Tabiligh, to a village near al Zarqa, Jordan. The detainee had decided, based on having read fatwas of extremist Saudis, he would go to Afghanistan or Chechnya for jihad.
- 10) Jamat-al-Tabiligh has been supporting Islamic terrorist groups in south and southeast Asia under the cover of conducting religious activities. The group is closely aligned with other Pakistani terrorist organizations and the al Qaida network.
- 11) The detainee stated the al Dawa in Amman, Jordan, told him what to do in Pakistan, how to get there and what to do with his money. Once the detainee arrived in Karachi, Pakistan, he took a taxi to a nearby hotel, and remained there for two weeks. The detainee stated that although he told the al Dawa people he was traveling to Pakistan for al Dawa, he never went to the local al Dawa center because his primary reason for travel was for jihad.
- 12) The detainee stated he traveled from Amman, Jordan to Quetta, Pakistan and met with an individual. The detainee assumed the alias name Abu Ziad because the individual told him to never use his real name. The detainee stated that the individual was also going to Afghanistan, so they shared a taxi. Once the taxi got close to the border, the detainee and the individual got out and got on a motorcycle, which sped through the border crossing so the border police could not stop them. The detainee stated that once on the other side in Afghanistan, they rode the motorcycles to a restaurant in Spin Buldak, Afghanistan. The detainee noticed other individuals at the restaurant who talked about

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF BA'AWDHA, TARIQ ALI ABDALLAH AHMAD

obtaining training at the training camps and how the Taliban was going to enforce Islamic laws.

- 13) The detainee stated the individual assisted jihadists from Yemen and elsewhere in their attempts to make their way from Pakistan into al Qaida training camps located in Afghanistan. The individual would introduce prospective fighters to Arab members of al Qaida at a restaurant located in Spin Buldak, Afghanistan.
- 14) The detainee stated he and the individual left Spin Buldak, Afghanistan in the same taxi and traveled to Kandahar, Afghanistan. The detainee stated that once he and the individual arrived in Kandahar, Afghanistan, they went to a guest house, possibly named Nibras or Ansar. The detainee noted there were two Imams at the guest house.
- 15) The Nebras Arab guest house in Kandahar, Afghanistan, was identified as being used by fighters heading to the al Farouq training camp in Kandahar, Afghanistan, and was used by Usama bin Laden. Arabs bound for training at al Farouq would gather at Nebras until about 25-30 were in the group, and then they were transported to al Farouq. Usama bin Laden would come to Nebras to greet the fighters before they went to training.
- 16) The detainee stated that after about one to two weeks at the guest house in Kandahar, Afghanistan, the detainee and about 60 others boarded two large buses and rode to the al Farouq training camp. The detainee stated he attended the al Farouq training camp in August 2001. The detainee described his training as: including target practice with the AK-47, physical training, and a weapons course. The training routine lasted about one month.
- 17) The detainee stated that after one month of training, everyone at the al Farouq camp was told the training was being stopped and they were all sent back to a guest house. After that, he heard on a radio about the 11 September 2001 attacks in the United States. The detainee stated he was informed that the borders to Afghanistan were very tight and he would be arrested if he tried to cross. Later everyone at the guest house was told to leave.
- 18) The detainee stated that after he left the al Farouq guest house, he went to another guest house and stayed one to two days before traveling to Kabul, Afghanistan. The detainee stated that after staying at another guest house for 1-2 days, he and a group were sent near the front line, without weapons, to a place called Omar Saif, which was in the third line area. The detainee stated they stayed there for about one month.
- 19) The detainee stated he was sent to the front lines at Bagram, Afghanistan, but remained in reserve in the rear, in the third line of trenches from the front. He did not recall that he had a commander of any type. He remained there for two weeks, then retreated to Tora

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF BA'AWDHA, TARIQ ALI ABDALLAH AHMAD

Bora, Afghanistan.

- 20) The detainee stated that following the defeat of the front lines, he decided to go back to Kabul. Hearing that Kabul was also defeated, the detainee stated he and others decided to go to Jalalabad. In Jalalabad, the detainee and others met an individual who they followed to the Tora Bora mountains.
 - 21) The detainee stated that the individual and others drove cars for about three hours, after which time they walked for three hours to ditches where they stayed for about one month during Ramadan. The detainee stated that everyone obtained an AK-47 from the ditch, which was left there from previous people. The detainee stated they took turns standing guard duty.
 - 22) The detainee was identified as being someone who was at Tora Bora and at Bagram, Afghanistan.
- b) Training
- 1) The detainee stated he received two or three days of training with the Kalashnikov rifle while at al Farouq training camp. Each day, the detainee fired three rounds at three paper targets with concentric circles on wooden boards placed at 100m, 50m, and 10m. Weapons firing was done from the sitting, standing, and prone positions. The detainee stated he fixed his own weapon when it malfunctioned.
 - 2) The detainee stated he received one day of familiarization training with a pistol of unknown type. The detainee fired a total of nine rounds.
- c) Connections/Associations
- 1) The detainee was identified as being considered an important man; somebody who was loyal to Usama bin Laden and who met with Usama bin Laden numerous times.
 - 2) The detainee stated he knew a commander at Tora Bora.
- d) Other Relevant Data
- 1) The detainee stated he and others, after about one month in the ditches, followed other unknown people to Pakistan. When the detainee and others crossed the border, the Pakistani Army was waiting there to arrest them. The detainee stated he was taken to a prison where he stayed for about six weeks.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF BA'AWDHA, TARIQ ALI ABDALLAH AHMAD

- 2) The detainee was detained with a group of Arabs while crossing into Pakistan in late December 2001.
 - 3) The detainee stated that after six weeks in a Pakistani prison, he was taken by plane to the Kandahar, Afghanistan, prison run by the Americans, where he stayed about six weeks before being brought to Camp X-Ray at Guantanamo Bay, Cuba.
 - 4) The detainee was transferred from Pakistani custody to United States custody in December 2001.
 - 5) The detainee was identified as someone with knowledge in the use of anti-aircraft weaponry and 120mm howitzers.
4. The following primary factors favor release or transfer:
- a) The detainee stated he did not know any information or anyone involved in the USS Cole bombing.
 - b) The detainee stated the people found guilty of the 11 September 2001 attacks in the United States should be killed.
 - c) The detainee denied being a member of al Qaida.
 - d) The detainee stated that if he were released, he would return to his home and attempt to find a wife, get a job, live with his parents and continue to study Islam.
 - e) The detainee denied having any knowledge of the attacks in the United States prior to their execution on September 11, 2001. The detainee has also denied knowledge of any rumors or plans of future attacks on the United States or United States interests. The detainee denied having any knowledge or planning of internal uprisings at the Guantanamo Bay, Cuba detention facility.
5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

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Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *[Signature]*

FROM: Director, OARDEC (U) *15 10/6/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD (ARB) ASSESSMENT AND RECOMMENDATION ICO ISN 189 (LIBYA)

o ~~(S//NF)~~ Subject ARB was held on 28 Aug 08 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION: (b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *[Signature]* *3-08*
 Or Transfer _____ Release _____

- o (U) Attachments:
 Tab A OARDEC SJA Legal Sufficiency Review
 Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 189

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee affirmatively declined to appear personally in the ARB proceedings and was uncooperative or unresponsive.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. However, upon the AMO's arrival at the interview room, the detainee became highly agitated and asked the AMO to leave. The detainee refused to allow the linguist to read the Unclassified Summary of Evidence and began to verbally harass the AMO and linguist. The AMO asked the detainee if he wished to attend his ARB or have the AMO present any information on his behalf, to which the detainee affirmatively declined. The AMO terminated the interview at that point and offered copies of both the English and Arabic translated Unclassified Summary of Evidence to the detainee, but the detainee refused to accept the documents. The AMO comments and description of the interview are included in enclosure (3).

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a

Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 189
Enclosure (4)
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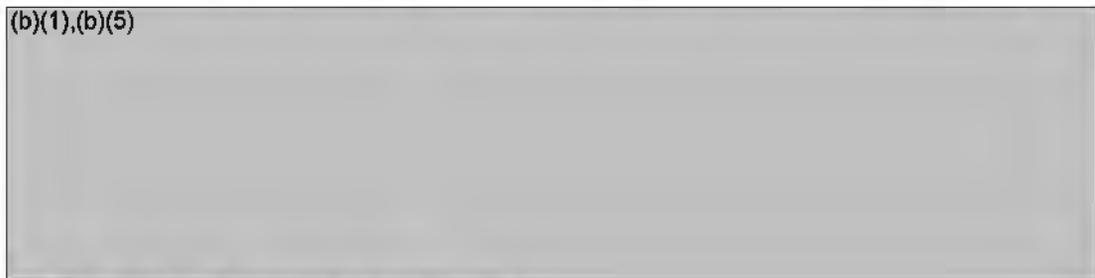
result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) Summary of Information Considered

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-33.
- c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5).

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)



(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



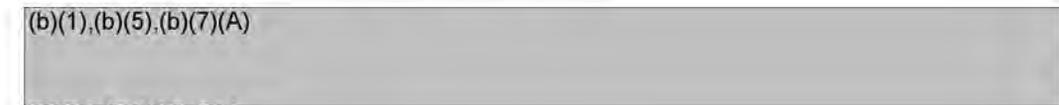
(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)



(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)



(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) **Third Party / Home Country Statements**

(b)(5)

5. (U) **Consultations with the Administrative Review Board Legal Advisor**

(b)(5)

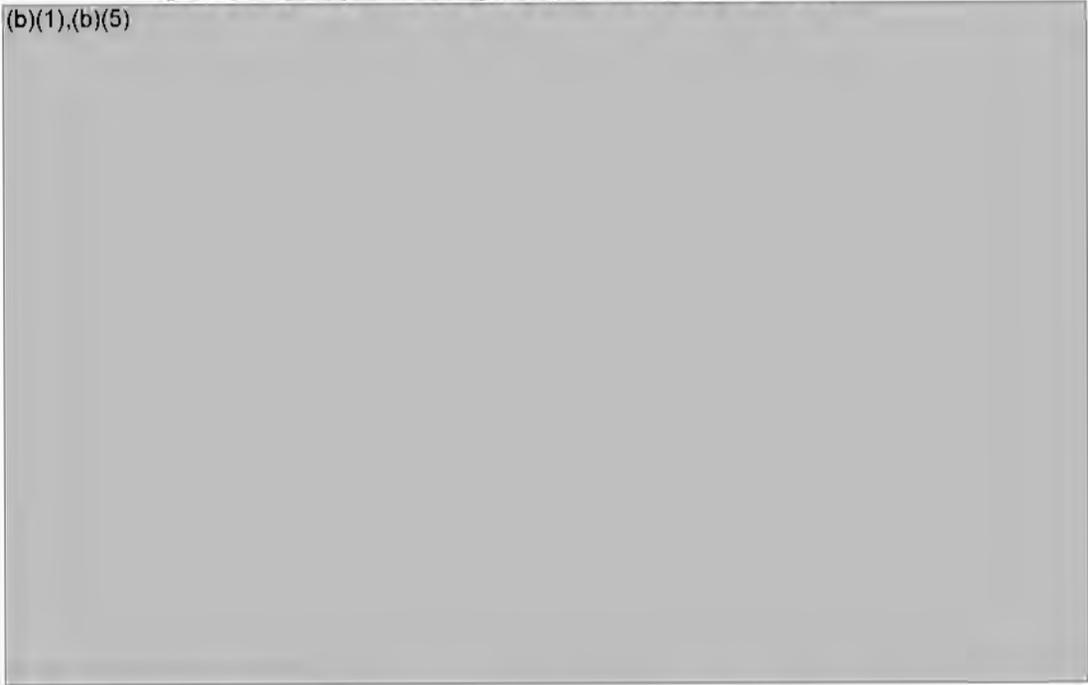
6. (U) **Additional Information**

(b)(1),(b)(5)

Derived From: Multiple Sources
Declassify On: 25X1-Human

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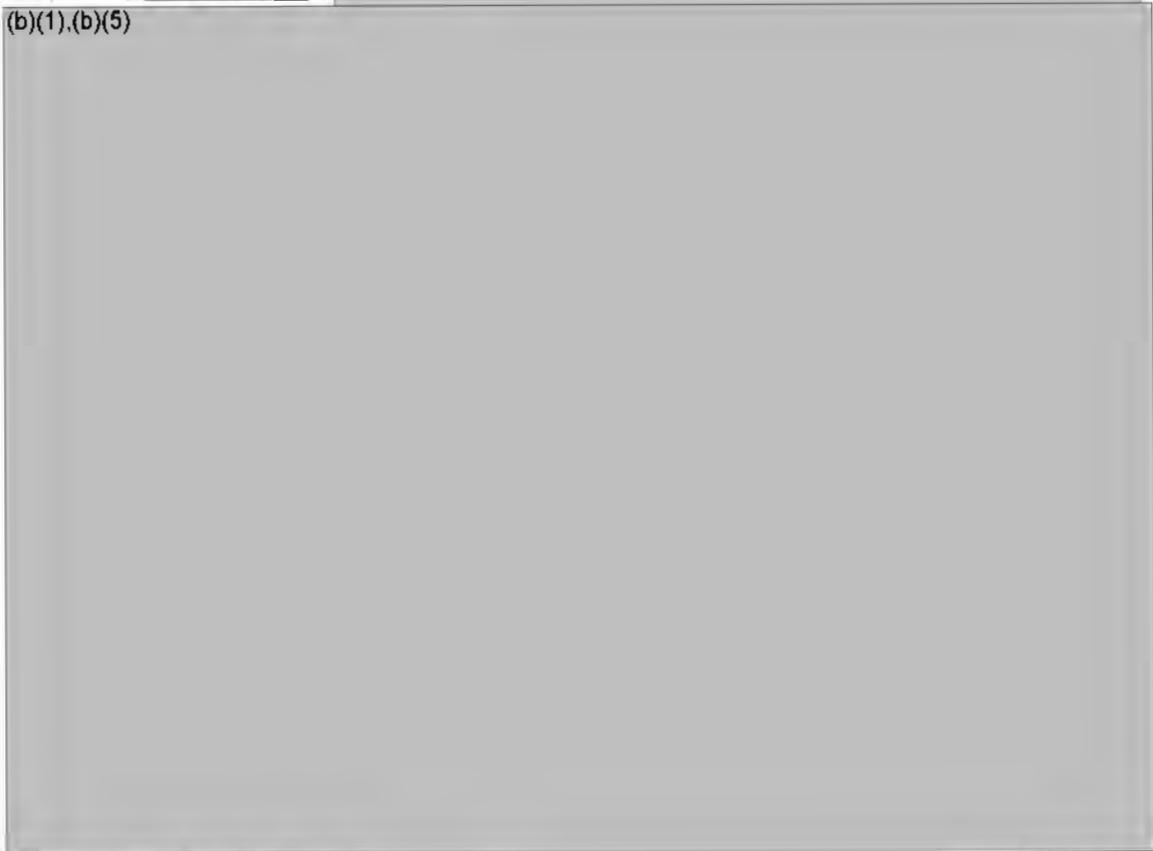
(b)(1),(b)(5)



7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ Threat Level. (b)(1),(b)(5)

(b)(1),(b)(5)



Derived From: Multiple Sources
Declassify On: 25X1-Human

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(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

b. ~~(S//NF)~~ Intelligence Value. (b)(1),(b)(5)

(b)(1),(b)(5)

(b)(1),(b)(5)

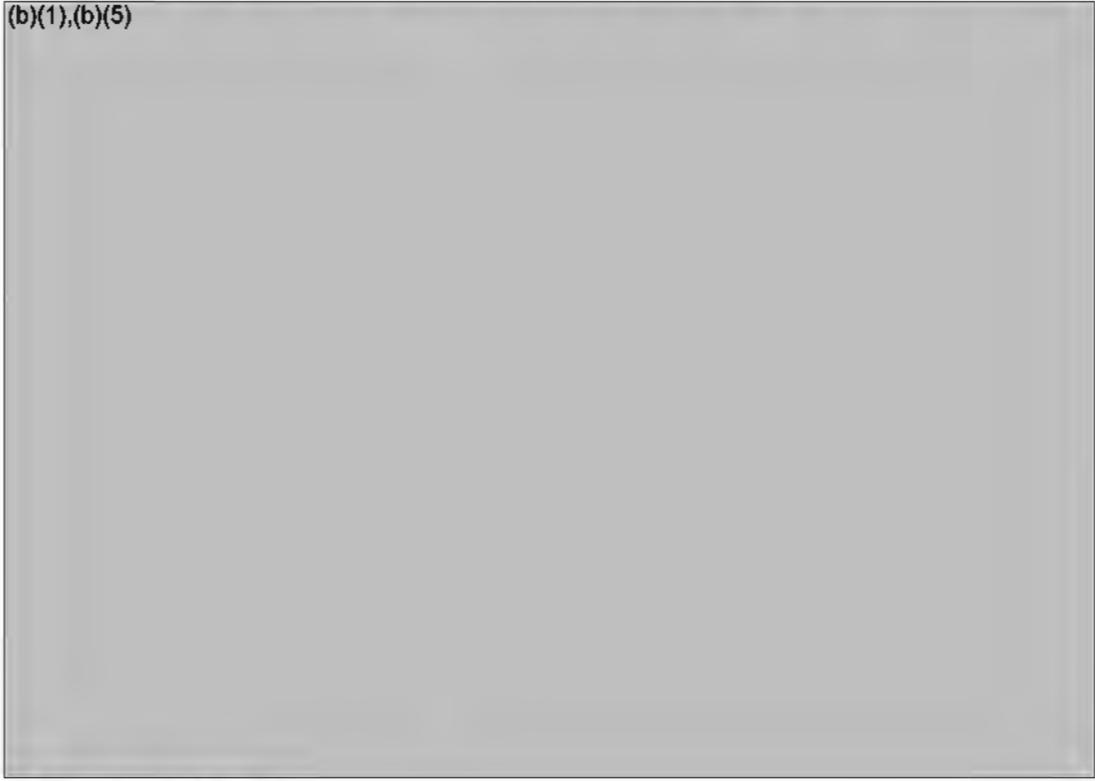
c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)

Derived From: Multiple Sources
Declassify On: 25X1-Human

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(b)(1),(b)(5)



d. (U) Recommendation.

(b)(1),(b)(5)

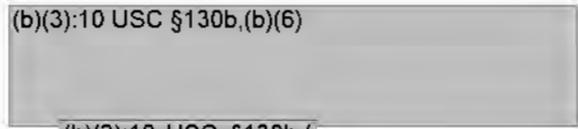


8. (U) Board Members' Voting Results

(b)(5)



(b)(3):10 USC §130b,(b)(6)



(b)(3):10 USC §130b.(
CAPTAIN, U.S. Navy
Presiding Officer

Derived From: Multiple Sources
Declassify On: 25X1-Human

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UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

12 August 2008

To: ALJJ-SAQQAF, RAFDA'T MUHAMMAD FAQI

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF ALJJ-SAQQAF, RAFDA'T MUHAMMAD FAQI

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. **The following primary factors favor continued detention:**

a. Commitment

1. The detainee stated his father sold the family farm and split the money among family members. This money was used to go to Mecca on the Hajj. The detainee stayed at Mecca for six months then traveled around for the next eight years.
2. The detainee stated that in 1992, he got a visa to Pakistan. The detainee stated he entered at Islamabad, Pakistan and then traveled to Peshawar, Pakistan, and stayed at a Libyan guest house. The detainee stated that he stayed in Peshawar for six months, to return to Islamabad with several Libyans he met at the guest house.
3. The detainee stated he stayed at the Bayt al Shuhada guest house in Peshawar, Pakistan for 6 months.
4. The detainee was seen at the Bayt al Shuhada guest house.
5. The detainee stated that in the summer of 1993, he feared talks between the Libyan and Pakistani governments would result in deporting all Libyan residents from Pakistan to Libya. The detainee stated he went to a refugee camp and helped with Tajiki refugees in Talokan, Afghanistan, and Konduz, Afghanistan.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF ALJJ-SAQQAF, RAFDA'T MUHAMMAD FAQI

b. Connections/Associations

1. A Libyan Islamic Fighting Group member identified the detainee as part of a group who had returned to Pakistan from fighting the Russians in Tajikistan.

c. Training

1. The detainee was not in the military for active duty, but had military training one hour per day for an unspecified amount of time.
2. The detainee attended the Jihad Wahl Camp near Khowst, Afghanistan in 1996.
3. The detainee was trained at the Khalden Camp and participated in the Tajik war.

d. Intent

1. The detainee stated he and several other Libyans established a Libyan guest house in Afghanistan.
 - a) Reportedly, the location of this Libyan guest house in Afghanistan was an al-Qaida enclave.

e. Other Relevant Data

1. After the events of 11 September 2001, the detainee sent his family to Pakistan and he returned to the Jalalabad Mountains onward to the Tora Bora Mountains of Afghanistan where the detainee was arrested.

4. Factors Favoring Release or Transfer:

- a. The detainee stated he did not have any terrorist connections.
- b. A senior al Qaida operative stated that the detainee did not go to any training camps in Afghanistan.
- c. The detainee was believed to not fight for the Taliban in the war against the Northern Alliance.
- d. The detainee was believed to not be a member of al Qaida.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF ALJJ-SAQQAF, RAFDA'T MUHAMMAD FAQI

- e. The detainee stated he did not have any knowledge of the attacks in the United States prior to their execution on 11 September 2001, and also did not have any knowledge of any rumors or plans of future attacks on the United States or United States interests.
 - f. The detainee stated he was a member of an Islamic group that did not promote jihad, but was solely established to enhance the practice of Islam.
 - g. The detainee stated that he was involved in a fishing accident in the summer of 1994. The detainee stated he had been fishing with a man that had provided explosives for the day of fishing. While preparing an explosive, this man accidentally ignited a primer that detainee was holding in his hand, and subsequently blew off most of his fingers.
5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

UNCLASSIFIED



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *SJA*

FROM: Director, OARDEC (U) *18/12/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD (ARB) ASSESSMENT AND RECOMMENDATION ICO ISN 200 (SAUDI ARABIA)

- o ~~(S//NF)~~ Subject ARB was held on 27 Oct 2008, resulting in a recommendation (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

- o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)

- o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

- o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

- o ~~(S//NF)~~ RECOMMENDATION: (b)(1),(b)(5)

(b)(1),(b)(5) (Detain) _____
 Or Transfer *[Signature]* Release _____

- o (U) Attachments:
 - Tab A OARDEC SJA Legal Sufficiency Review
 - Tab B Presiding Officer's Assessment and Recommendation

(b)(1),(b)(5)

~~SECRET//NOFORN~~

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Summary of Administrative Review Board Proceedings for ISN 200

The Administrative Review Board was called to order at 0911 hours on 27 October 2008.

The Detainee entered the proceedings.

Presiding Officer: Before we began I wanted to clear up a few things. Your correct name is Sa'd Muhammad Husayn Qahtani? During the course of the review board how would you like to be addressed?

Detainee: By Sa'd or Qahtani.

Presiding Officer: To make it easier we'll use Sa'd. I'll only use your full name as we start the board or as we finish the board.

Detainee: That's fine.

Presiding Officer: I understand that you speak English. Is that correct?

Detainee: Yes, that fine.

Presiding Officer: So, would you like the entire proceeding to continue in English?

Detainee: That's fine.

Presiding Officer: At anytime you hear something from us that you don't understand, we have the linguist here who will translate for you or answer any questions. If you chose to go to Arabic, we'll also allow that.

Detainee: That's fine.

The Presiding Officer announced the convening authority and purpose of the Administrative Review Board proceedings.

The Designated Military Officer (DMO) was sworn.

The Board Reporter, Translator, Assisting Military Officer (AMO) and Board Members were sworn.

The Presiding Officer asked the Detainee if he wished to make his statements under oath. (Muslim oath offered).

Detainee: That's fine with me, if you want me to take the oath.

Presiding Officer: We'll get the Designated Military Officer to issue the Muslim oath.

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Designated Military Officer: Repeat after me in the name of Allah, the most compassionate, the most merciful, I state your name, swear that my testimony before this Administrative Review Board will be the truth.

Detainee: I think that I should do it in Arabic and he will translate for me.

Translator: You are saying it in English, so I don't need to translate.

The Detainee repeated the oath in Arabic.

The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood.

Presiding Officer: Sa'd, do you understand this process?

Detainee: Yes, I do.

The Assisting Military Officer presented the Notification of the Decision of the ARB, Exhibit EC-A, to the Administrative Review Board.

The Assisting Military Officer presented the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.

The Assisting Military Officer read the AMO Comments from the Enemy Combatant Election Form, Exhibit EC-B.

Assisting Military Officer: The detainee's ARB interview was conducted on 17 October 2008 with a follow-up interview on 21 October 2008. After reviewing the ARB's purpose and procedures, the detainee read the Arabic translated Unclassified Summary of Evidence to himself. The detainee confirmed that he understood the information and he spoke in English to the AMO throughout the interview. When asked if he wanted to attend the ARB, present a written or oral statement, or have the AMO speak on his behalf, the detainee initially stated that he did not wish to attend the ARB nor did he wish for the AMO present anything on his behalf however, later stated he would attend the ARB and speak on his own behalf. The AMO handed a copy of the English and Arabic Unclassified Summary of Evidence to the detainee according to the JDG Standard Operating Procedures. Additional comments: The detainee appeared at his interview wearing a white uniform.

Presiding Officer: Thank you.

The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit's DMO-1, DMO-2, DMO-3, DMO-18 and DMO-36 to the Administrative Review Board.

The Designated Military Officer stated that a copy of these exhibits had been previously distributed to the Assisting Military Officer and Detainee.

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Presiding Officer: Sa'd, I noticed that you chose to respond as we go through the Unclassified Summary of evidence, is that true?

Detainee: Yes, if there is a need for responding, I will respond.

Presiding Officer: As we proceed through the Unclassified Summary, if you don't chose to respond then we'll keep the board moving, but if you do want to respond we can stop to hear what you have to say.

Detainee: There is one thing. Most of these I have responded to before. I have been to two boards before and most of the things I have already said what I wanted to say. I don't think I will respond to anything unless there's something.

Presiding Officer: We are required to go through the procedure of reading the Unclassified Summary although I know you've already read it before. We know you have a statement but we will go through it at the end.

Assisting Military Officer: I think he's just repeating what he told me. He wanted to make sure you understood that he's already told a previous ARB he's been through he's already responded and that's why he's not responding to many of the questions now.

Presiding Officer: Sa'd, just to let you know we are a new board and you probably never saw any of us before. We are charged with being impartial and must make a new recommendation on the facts that we hear today.

The Presiding Officer noted from the Enemy Combatant Election Form that the Detainee did want to respond to the information from the Unclassified Summary.

The Designated Military Officer gave a brief description of the contents of the Unclassified Summary of Evidence, Exhibit DMO-1, to the Administrative Review Board.

Designated Military Officer stated the following factors that favor continued detention.

Designated Military Officer: (3.a) Commitment.

Designated Military Officer: (3.a.1) The detainee stated he became aware of religious and political issues, as well as the importance of jihad as part of Muslim responsibilities, after hearing speeches from fighters who were actively involved in the Afghanistan-Russian War.

(3.a.2) The detainee stated he wanted to go to Chechnya to lend relief support or fight on behalf of his Muslim counterparts. The detainee stated he planned to enter Chechnya, whose borders were closed at the time, by joining a relief organization. Once there, the detainee stated he planned to leave the relief organization and join the fighting.

(3.a.3) The detainee stated that in 1999 a friend told him that Kashmir, Pakistan, was the same as Chechnya so the detainee decided to travel to Kashmir instead.

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(3.a.4) The detainee stated he traveled to Karachi, Pakistan, via the United Arab Emirates in 1999. The detainee stated once in Karachi, he wanted to travel to Kashmir, Pakistan, but was told by a cab driver that it would not be possible. The detainee stated the cab driver instructed the detainee to contact a local Muslim scholar. The detainee stated after meeting with the detainee, the scholar made arrangements for the detainee to fly to Lahore, Pakistan. The detainee stated he was instructed to go to the Raywan Center once he reached Lahore.

(3.a.4.a) Reportedly, most major cities in Pakistan have Jamat-al-Tabiligh centers, but the one in Raiwand, near Lahore, Pakistan, is the most important mosque to the Jamat-al-Tabiligh, and serves as the organization's headquarters.

(3.a.4.b) The Jamat-al-Tabiligh has been supporting Islamic terrorist groups in south and Southeast Asia under the cover of conducting religious activities. The group is closely aligned with other Pakistani terrorist organizations and the al Qaida network.

(3.a.5) The detainee stated the Raywan Center was a missionary center. The detainee stated he spent two nights at the Raywan Center before leaving with a group to Qwitly, Pakistan via Muzfarabad, Pakistan. The detainee stated once in Qwitly, the group then walked to a training camp called Quba.

(3.a.6) The detainee stated he returned to Saudi Arabia because he missed his family and felt he had fulfilled his purpose for traveling to the training camp which was to fight as every Muslim should. The detainee stated he remained in Saudi Arabia for approximately two months before he got the urge to return to Pakistan.

(3.a.7) The detainee stated that he traveled to the United Arab Emirates where he obtained a visa to enter Pakistan and from the United Arab Emirates he flew to Karachi and on to Lahore, Pakistan. In Lahore the detainee stated he went back to the Raywan center and rode a truck to Kashmir, Pakistan, and returned to the Quba Camp.

(3.a.8) The detainee stated he returned to the Quba Camp for approximately a week waiting for fighting, but there was none. The detainee stated he was urged by others to join the fighting in Afghanistan. The detainee stated he then left with a group to Afghanistan. The detainee stated the group traveled to Peshawar, Pakistan, and then to Torkhum, Pakistan, a busy border crossing between Pakistan and Afghanistan.

Designated Military Officer: (3.b) Training

(3.b.1) The detainee stated that while at Quba Camp; he received training in physical exercise, weapons, religion, land navigation, and also how to navigate by the stars. The detainee stated the weapons training included instruction on Kalashnikov rifles, PK Machine Guns, hand grenades, and Rocket Propelled Grenades. The detainee stated most trainees stayed one month at the camp but he stayed for three months. The detainee stated he was issued a Kalashnikov rifle and stood guard duty during the extra time he was there.

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(3.b.2) The detainee stated that while in Kashmir, Pakistan, he received a phone number for a man who he believed could help him receive military training. The detainee stated he called the man from Peshawar, Pakistan and the man told him to go to Rawalpindi, Pakistan, a suburb of Islamabad, Pakistan. The detainee stated he took a bus to Rawalpindi, Pakistan and met the man who took the detainee to the man's guest house where the detainee stayed for approximately a week. The detainee stated he then traveled to Jalalabad, Afghanistan, and stayed at another unidentified guest house for a few days to a week before traveling to a camp for training.

(3.b.3) The detainee stated that while attending the camp he received weapons training on the AK-47, 7.62mm RPK rifle, 7.62mm PK rifle without tripod, RPG-7, and Makarov pistol. The detainee stated he received artillery training on the DSHK-38 12.5mm gun, AGS-17, and a weapon resembling the ZPU-2 14.5mm gun. The detainee stated he received training on 82mm mortars and the SPG-9 73mm gun. The detainee stated he also received tactics training, which included simulated attacks and instruction on regrouping, patrols, hand signals, and ambushes.

(3.b.4) The detainee stated that after he trained at the camp near Khowst, Afghanistan he then trained on the T-54 and T-55 Soviet tanks at a Taliban armory also located in Khowst, Afghanistan. The detainee stated he then traveled to the front lines north of Kabul, Afghanistan, and stayed for five months.

Designated Military Officer: (3.c) Connections/Associations.

(3.c.1) The detainee stated he did not receive any instructions to leave Saudi Arabia for Afghanistan, but he was strongly influenced by several religious leaders, including a Saudi Sheikh who issued fatwas giving religious approval to fight on behalf of the Taliban against the Northern Alliance.

(3.c.1.a) Reportedly, the Saudi Sheikh who influenced the detainee issued a fatwa calling for jihad in Afghanistan and that the Sheikh condoned the September 11, 2001 attacks against the United States and helped raise money for Usama bin Laden.

(3.c.2) The detainee stated Camp Quba was affiliated with and run by a group known as Lashkar-e-Tayyiba.

(3.c.2.a) According to the Department of Homeland Security, Lashkar-e-Tayyiba is a designated foreign terrorist organization. Lashkar-e-Tayyiba is the armed wing of a Pakistan-based Sunni anti-United States missionary organization. The group has claimed or been implicated in a number of operations against Indian troops and civilian targets that have left dozens of people dead.

(3.c.3) The detainee stated that while on the front line near Kabul, Afghanistan, he performed security work behind the lines and carried a Kalashnikov rifle which he received from the commander of the line.

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(3.c.4) The detainee stated that on one occasion, the line was visited by an Egyptian who was protected by four to five Arab bodyguards. The detainee stated the Egyptian greeted the detainee and handed the detainee 500 United States Dollars, which he was to hand out to his Muslim brothers. The detainee stated he used some of the money to buy supplies in Kabul, Afghanistan and distributed the remainder to fighters on the line.

(3.c.5) The detainee stated he would occasionally take a turn manning a forward reconnaissance point, but was primarily assigned guard duty during his time on the front line. The detainee stated he only fired his weapon at people who were trying to block the retreat.

Detainee: This part, the last part, I never said that.

Presiding Officer: Can you say that again, please.

Detainee: This part, the last part, is my first time ever hearing this.

Presiding Officer: Are you talking about the only time you fired your Kalashnikov?

Detainee: Yes, that's the first time I ever hear that. I never said that before.

Board Member: Have you every fired a weapon before?

Detainee: No, to people, but of course in training, yes.

(3.c.6) The detainee stated his group from the line eventually retreated to Jalalabad, Afghanistan. The detainee stated he joined a new group of Arabs when he learned Jalalabad had fallen to the Northern Alliance. The detainee stated he did not think he needed his passport any longer, so he gave it to the commander of his line.

Detainee: Excuse me, I gave it to my commander so I can have it when I go to Pakistan.

Presiding Officer: You gave the passport because you were preparing to leave, is that what you're saying?

Detainee: Yes, because I was going from Afghanistan to Pakistan so I thought it was going to be safe, or safer to give him the money and the passport so I could get it from him when I got to Afghanistan, Pakistan.

Board Member: Is that a common practice to give your passport and money up?

Detainee: In some places if they know you're a foreigner they will take it from you, but for local people or people that speak the language it hard to know. But usually some people will take your money and things from you. It's common practice.

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Board Member: So, your primary purpose was to prevent someone from robbing you of your passport and money?

Detainee: I was worried that someone would take my thing from me. I didn't want people to know that I was Arabic because I was in the process of going home.

(3.c.7) The detainee stated the group headed to Pakistan, traveling from town to town. The detainee stated the residents provided assistance, but demanded the group surrender their weapons as the residents were concerned about protecting themselves. The detainee stated he kept a hand grenade. The detainee stated the group eventually reached the Tora Bora Mountains in Afghanistan.

(3.c.8) The detainee stated that once his group reached Tora Bora, Afghanistan, the members of the group took a fighting position near a SAM-7 Missile site. The detainee stated he was issued a Kalashnikov rifle and was assigned to a trench.

(3.c.9) The detainee stated he left Tora Bora, Afghanistan, with three or four other Arabs. The detainee stated the group headed to the Pakistani border point. The detainee stated others in the group decided not to surrender at the border, so they headed back to Afghanistan. The detainee stated he decided to surrender to the Pakistanis because he had no money or food.

Detainee: Excuse me, I had money but I was going, I went to the rest station for them to help me get to the Saudi Embassy because I was going to go back to Saudi Arabia.

Presiding Officer: There was no embassy in Afghanistan at that time?

Detainee: No, the war started so I tried to go back to Saudi.

Presiding Officer: Okay

Designated Military Officer: (3.d) Other Relevant Data.

(3.d.1) The detainee's name was on a list of al Qaida Mujahedin. The list indicates that the detainee's passport, credit card, and discharge identification card were held in an al Qaida account.

(3.d.2) The detainee stated he knew two hijackers who were on United Flight 93 during the 11 September 2001 attacks.

Designated Military Officer: (4) Factors Favoring Release or Transfer.

Detainee: Excuse me, as you've heard most of those things that have been taking against me are the things that I said. I tried to be honest and truthful with my interrogator, all of these things, but honestly there have been many people who where here and they know for sure that they have a case that's worst then my case. But because they were smarter then me and didn't say anything

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and they were clever and they went home. All of them, they have been released. I'm paying now for be honest and truthful.

Presiding Officer: So, are you saying that this statement is false, or did you know the individuals?

Detainee: These are some of the things that have gotten kind of twisted, but as I told you, I already addressed this before. I already responded on it before I didn't feel there's a need for me to respond again.

Board Member: So, your concern is that because you were truthful and made statements, that those statements are being held against you. Where some of your brothers have said other things, maybe not as truthful, and they have been released?

Detainee: Some of them, I don't know, they were like. I don't know if I'm suppose to say this or not but I know they have been, like, according to the Americans; they have been in worst cases than mine. I never been, like, fighting against Americans or anything, and I know that those people they were either, like being, part of or close to al Qaida people or like been fighting against American all of these things and some of them have been injured during a fight. So when I see them leaving and I'm still here, I start rethinking about what I've been doing.

Board Member: Thank you.

Designated Military Officer: (4) Factors Favoring Release or Transfer.

(4.a) The detainee stated he did not go to Afghanistan with the intention of joining the Taliban. The detainee's stated his main purpose was to see the accomplishments of the Taliban.

(4.b) The detainee stated he was never an al Qaida member and does not know if he ever met or fought with al Qaida forces.

(4.c) The detainee stated he did not swear bayat to Usama bin Laden or any terrorist organization.

(4.d) The detainee stated that he has never had training in explosives.

(4.e) The detainee stated he would never be involved with an organization or militia whose purpose was to commit terrorist acts.

Detainee: Excuse me, can you say that again.

Designated Military Officer: The detainee stated he would never be involved with an organization or militia whose purpose was to commit terrorist acts.

Presiding Officer: Excuse me, can the linguist translate?

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Translator: Translates in Arabic

Translator: Okay, he says what you are reading is like in the future. Can you repeat the first paragraph please?

Detainee: It was, he said like wouldn't or in the past or in the future.

Presiding Officer: Past, present or future, the statement is saying that you would never join an organization. That can be present or future and in the past.

Detainee: Okay, I understand.

Presiding Officer: Can you read that, can you finish that statement again?

Designated Military Officer: Repeat, the detainee stated he would never be involved with an organization or militia whose purpose was to commit terrorist acts. The detainee also stated he would not involve himself with a group that would act as the aggressor in a military campaign.

(4.f) The detainee stated he had no prior knowledge of the 11 September 2001 attacks on the United States or knowledge of any rumors or plans of future attacks on the United States or its interests.

(4.g.) The detainee stated that if released, he would like to return home to see his family and complete his studies. The detainee stated he would not return to Afghanistan, Pakistan, or any other country for the purpose of taking up arms against the United States or its allies.

The Designated Military Officer confirmed that he had concluded reading the Unclassified Summary.

The Presiding Officer confirmed that none of the members desired more time to review the Unclassified Summary.

The Designated Military Officer confirmed that he had no further unclassified information and requested a closed session to present classified information relevant to the disposition of the Detainee.

The Presiding Officer acknowledged the request.

The Presiding Officer opened the Administrative Review Board to the Detainee to present information with the assistance of the Assisting Military Officer.

Assisting Military Officer: Yes, Sir. The detainee has made a written statement which he would like for me to read to the board and also the detainee would like to make an oral statement at the conclusion of reading the written statement.

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Presiding Officer: Okay, can we....

Assisting Military Officer: At this point I would like to present the written statement to the board.

Presiding Officer: Okay.

Assisting Military Officer: I'm handing the Administrative Review Board the following Unclassified Exhibit, marked as Exhibit EC-C. A copy of this exhibit was provided to the Designated Military Officer (Handing the board members the detainee's written statement).

Presiding Officer: Okay, Exhibit EC-C is received and entered into the record. Assisting Military Officer, please read the detainee's comments, if any, on the Enemy Combatant Election Form.

Assisting Military Officer: I have the comments that the detainee made, here (handing the form to the Presiding Officer).

Presiding Officer: Okay, the statement itself.

Assisting Military Officer: Thank you for giving me another opportunity to be present here at this board; even though I have a belief that this decision has already been made, but I decided to do my best. As a Muslim and the way that I was raised I believe that everything is in God's hands but still I must do what's within my powers. I have been here almost seven years far away from my family. In these seven years I've tried my best to be truthful and honest. I have been cooperative with my interrogators and the camp rules. I had the belief that one day everything will be over with in this place for me. The things that made me believe so are, knowing that I was never involved in fighting against American's or helping anyone else fight against American's. I had the trust before in the Judiciary system, but not any more. Most of the facts that have been taken against me are facts that are not going to be changed. I'm not going to look to the past but hope that the future will be good. I just want to go home to live in peace with my family.

Assisting Military Officer: That's the end of the written statement, Sir.

Presiding Officer: Sa'd, at this time you can began your statement.

Detainee: Honestly, like...I know like, as he said, thank you for giving me this chance. I know that for you I'm like, another detainee. I know that your recommendation will be taken like, in consideration, so, I don't know what to say. Honestly, but thank you for giving me this chance.

Presiding Officer: Okay, Sa'd, does that conclude your statement?

Detainee: I'm good.

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Presiding Officer: Okay. In the written portion did the AMO statement, that he wrote for you, provide the information that you wanted us to hear?

Detainee: I don't have another statement.

Detainee: (Speaking to the Assisting Military Officer).

Assisting Military Officer: He just asked what I read was accurate and what you wanted to say.

Presiding Officer: Because it was not in your handwriting, I believe.

Detainee: No, I just said and he wrote it for me.

Presiding Officer: Okay. Does the Assisting Military Officer have any additional information?

The Assisting Military Officer did not have any additional information to present.

The Assisting Military Officer had questions for the Detainee.

The Designated Military Officer had no questions for the Detainee.

Administrative Review Board Member's had questions:

Board Member: Sa'd, how did you make a living prior to leaving Saudi Arabia?

Detainee: Can you say that again?

Board Member: How did you make a living? Where you a student, did you work?

Detainee: I was a student.

Board Member: And what were you studying?

Detainee: I was studying Islamic Law.

Board Member: And what were your long term goals at that point?

Detainee: Like how many days been there?

Board Member: No, once you finished your studies, what were you intended to do with your education?

Detainee: I was going to go into the Judicial.

Board Member: So, you were going to be a lawyer?

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Detainee: No, we don't have lawyers but I wanted to be a judge.

Board Member: Oh, okay.

Detainee: Either Judge or work in the Judicial System.

Board Member: How did you support yourself?

Detainee: My family.

Board Member: Your family supported you?

Detainee: Yea, right.

Board Member: Okay, I have several questions. You stated when you were at that camp you stayed for three months when everybody else stayed for one and you were primarily doing guard duty.

Detainee: Yea.

Board Member: Was there any extra training involved?

Detainee: No, but many people just did different training then I went through. Some people just take one and go other places but I decided to take it all in one place.

Board Member: Okay and your family continued to pay your travel and living expenses once you left Saudi Arabia?

Detainee: No, they didn't pay.

Board Member: And how did you pay for your travel and living expenses?

Detainee: I had money, also my brother and my family they give me money but it's not exactly like for the purpose to go. I had money.

Board Member: Okay.

Detainee: Like, in my third trip outside Saudi Arabia, I got money from my family also.

Board Member: Did your family support what you were doing?

Detainee: They didn't agree with it.

Board Member: I'm sorry?

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Detainee: They didn't agree with me.

Board Member: They didn't agree with it?

Detainee: No.

Board Member: Did they try to talk you out of doing what you were doing?

Detainee: Often.

Board Member: And who tried to talk you out of it?

Detainee: My mother, my brothers.

Board Member: Okay, and how many brothers do you have?

Detainee: Including me, we have thirteen, like, brothers and sisters.

Board Member: Man, that's a big family.

Detainee: From two mothers.

Board Member: When you were on security work for those months and carrying a rifle, how much fighting was happening?

Detainee: Not much doing the time I was there.

Board Member: Okay, so.

Detainee: There was, like, Muslims bombarding and, like, artillery shelling.

Board Member: Oh, okay, so no direct contact.

Detainee: No, no fighting.

Board Member: And you corrected that statement where it said, "The detainee stated he only fired his weapon at people who were trying to block the retreat." You said you never fired your weapon.

Detainee: Like in fighting?

Board Member: Yes, in fighting.

Detainee: No, not in fighting only in training.

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Board Member: Okay, just in training?

Detainee: Yes.

Presiding Officer: You have an extensive military background so it was surprising when you said that you never fired your rifle other than training. You've had, I guess in Kashmir, then in Afghanistan.

Detainee: But if you look at it in Kashmir and Afghanistan, it's the same weapon. Almost the same weapon and most of those weapons are not being used now, but since it was there I just trained on it. Like kind of curious, I think.

Presiding Officer: On the subject of the weaponry, again you've had extensive machine gun, mortar tank training, was this a fascination for you? Why didn't you join the Saudi Army?

Detainee: That's a good question. I didn't want to be a military guy. I don't mean any offense.

Presiding Officer: But you were though.

Detainee: I didn't want to be in like a government military.

Board Member: So you didn't want to join the Saudi Army, but as you say it's not for everybody, but what was drawing you to talk all this paramilitary training?

Detainee: In the beginning I didn't know about all these things. It's hard to explain. We have to be trained to defend your family, our nation, our country and all of this. So for us it's kind of like a religious instruction for us, so I went there to take that. But when I went there I didn't expect to find all of those things.

Board Member: So, are you the only member of your family that's had that kind of training?

Detainee: No, just me.

Board Member: Are you the oldest?

Detainee: No.

Board Member: So, you have older brother?

Detainee: Yea.

Board Member: And younger brothers?

Detainee: Yea, and younger.

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Presiding Officer: After you left Kashmir you went back to Saudi Arabia for two months, what caused you to, obviously your trying to go back to get to Saudi Arabia, what caused you to leave home and go to Pakistan and Afghanistan?

Detainee: It wasn't my plan but I just found that I was just motivated to do it and go back.

Presiding Officer: Okay.

Board Member: What motivated you to go back?

Detainee: Like, being there the first time.

Board Member: This goes to my concern. Your past is your past but what we're concerned about is your future if we were to make a recommendation for release. It seems that you're always going back and that you have this fascination. Do you still feel this fascination; do you still feel that drive? You said it was family, nation, country, a lot of those things get kind of wrapped up, I would like to kind of.....

Detainee: I understand what you mean, but that's the thing that if someone is training on Martial Arts, he's not training to go to the States and fight people in the States. Like the American Soldier when they train how to shoot they don't train to go into the middle of the street and shoot people. Usually these things are just like the first days where everybody trains to have power, to defend himself, his family and his country. They just use it that way and I don't think anyone in the world would disagree with this, so.

Board Member: What would urge you now to go back and do what you did back then? Is there anything going on right now that would make you say, "Hey, this is a good idea". Say something came up in another part of the world, same situation, would you find that fascination to go back there and train and go back on the front lines like you did before?

Detainee: From my experience and what I went through as gave me a chance to think about a lot of things. I think there are a lot of things in my mind that have been changed. So if I went back to the past, I wouldn't do what I did, seriously. I'm not saying that I regret it or anything but if I were to go back to that time I would not do what I did. I found out that many things that we seek are not what is here for us, that's my thinking.

Board Member: Do you feel that you were misled by the people who urged you to go to another country?

Detainee: I think I was but I'm kind of not sure in that light and I'm lucky I'm still alive so I can continue my life again.

Board Member: How old were you when you were captured?

Detainee: Twenty-three.

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Board Member: So you're thirtyish.

Presiding Officer: In factors favoring release you said you've never been a member of al Qaida and does not even know if you've ever fought with al Qaida member. How can you explain that your name was on a list of al Qaida Mujahedin, the list indicated that your passport, credit card and discharge information were held in an al Qaida account?

Detainee: Okay, I just got a paper from Legal, like legal material, that showing the name that was in the computer. It says that Kalid Mufleh Al qahtan, I have the paper with me on the block, so think that the name is not right on what's been showing and that is not me, but I have the paper.

Presiding Officer: From an Attorney?

Detainee: I don't know who sent it, it's just has been approved from the DoD regulations. And it was saying the name and it was (the other name) and my name is Sa'd Muhammad Husayn Qahtani, I'm not saying maybe it just someone else.

Presiding Officer: When you turned in your passport, did you turn in money and credit cards?

Detainee: There was a passport and inside was a credit card, but there was no money.

Presiding Officer: What is the green card?

Detainee: The credit card.

Presiding Officer: There was, like, a credit card in there but there was no money, but what about the discharge identification card?

Detainee: I don't know what this is, that's what I'm asking about.

Presiding Officer: Okay. I think I have one more question.

Board Member: If you were released and you were able to go back and finish your studies and stuff, I take it your unmarried; do you have intentions on starting a family?

Detainee: Of course.

Board Member: Most people do.

Board Member: Do you have a big disagreement with the Saudi Government.

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Detainee: No, I think that things have changed a lot. You see how many people have been released and they have went through the rehabilitation program, so I think that lots of things have changed. In the beginning I was aware of a lot of things but I don't think it's there anymore.

Board Member: What if things haven't changed all that much when you get back; if you get back do you see yourself ending up back in the same situation? Would you feel driven to leave your country and go get training?

Detainee: No, that thing that happened in the past I don't think I would go through it again. But I have to say that my life will be better in the future. I can't make a prophecy I can only say that it will better and make it go as it could be.

Presiding Officer: Back when we were talking about the two hijackers that you knew, you said that worst people have, or works to that effect, worst people have left, and that your being held cause you told the truth, has that been discussed with your interrogators, when you said worst people had left? Or is that something you're just indicating here for the first time?

Detainee: I told some interrogators before but I can't say who's here, you understand, because I could be in trouble for saying something. But I told them ... I'm sorry can you repeat that again.

Presiding Officer: I'll read the statement. It was, the detainee stated he knew two hijackers who were on United Flight 93 during the 11 September 2001 attacks. Flight 93 is the one that when down in Pennsylvania.

Detainee: I know them because one use to be my neighbor and the other one went to the same Mosque as I did. So when they showed me the picture and they said do you know these people, I told them yea, I know these people. If I denied it nobody would have ever known that I knew them but I was honest and I didn't have any reason to lie so I told them I knew them.

Board Member: So, this goes back to my earlier statement, so you feel like your being penalized for being truthful where if you would have withheld the information might have put you in a better light in the previous boards?

Detainee: I don't know I just can't say, like I said before, if you ask me a question, I'll get answer it honest and true, but it seems that it doesn't help because now it's been taken against me. Like these things that I have been saying they have been taken against me, but the people that didn't say anything, they were not truthful they are free now. We get news about them saying they are married now and they are doing thing and that and starting their life again all for holding information and not being truthful.

Presiding Officer: Now you said you really want to get back to Saudi, have you petitioned the Saudi Arabian Government to step in on your behalf?

Detainee: What do you mean?

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Presiding Officer: I mean have you written the Kingdom of Saudi Arabia and said I want to come home please help me?

Detainee: I don't think I did it.

Presiding Officer: No, just a question.

Detainee: Should I?

Presiding Officer: You got time. I know the delegations come here from time to time, but you said that you're trying to get back so bad.

Detainee: I told them when they came here, they asked me if I wanted to go back and I said, yes.

Presiding Officer asks if any board had any more questions. They did not.

Presiding Officer: Do you have anything else to add?

Detainee: No.

The Presiding Officer read the post-Administrative Review Board instructions to the Detainee.

The open session of the Administrative Review Board was adjourned at 1016 hours on 27 October 2008.

The Presiding Officer opened the classified portion of the session.

The Presiding Officer adjourned the classified portion of the session and the Administrative Review Board was closed for deliberation and voting.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.

(b)(3):10 USC §130b,(b)(6)

Colonel, United States Marine Corps
Presiding Officer

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Enclosure (5)
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(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 200

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee chose to attend, and consequently the Board convened with the detainee being present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee wanted to appear personally in the ARB proceedings, and wanted to respond to each statement of information in the Unclassified Summary after it was presented. The AMO verbally summarized comments the detainee made during the AMO's interview; this statement is documented in Exhibit EC-B. The AMO further presented correspondence from the detainee as Exhibit EC-C, identified herein as enclosure (4).

d. (U) The ARB was conducted in English and a translator who spoke the same language as the detainee was present. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee understood the process.

e. (U) The detainee responded verbally to several allegations in the Unclassified Summary. The detainee answered a series of questions from the ARB, which included inquiries regarding his motivation to support jihad, his weapons training, his future plans, financial support during his travels and family circumstances. All detainee testimony and comments are included in enclosure (5).

(b)(1),(b)(5)

g. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

h. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) Summary of Information Considered

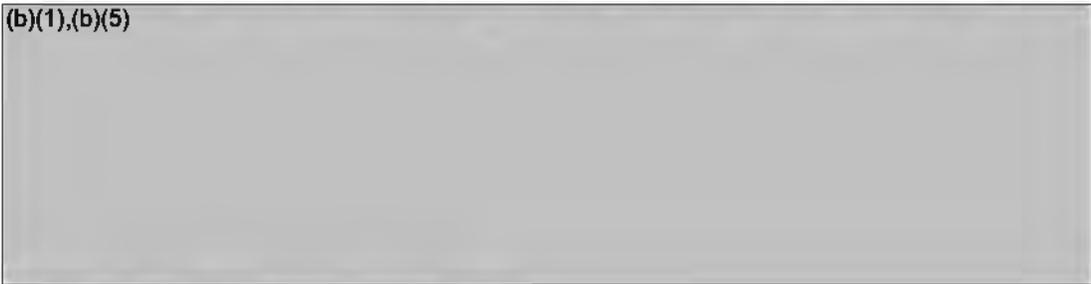
a. (U) The ARB reviewed the ARB 3 package.

b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-36.

c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included in enclosure (9).

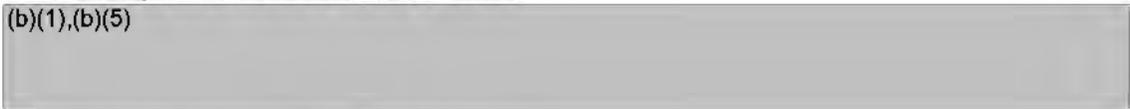
(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)



(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)



(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)



(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Additional Information

(b)(1),(b)(5)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ Threat Level. (b)(1),(b)(5)
(b)(1),(b)(5)

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

Derived From: Multiple Sources
Declassify On: 25X1-Human

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(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

b. ~~(S//NF)~~ Intelligence Value.

(b)(1),(b)(5)

(b)(1),(b)(5)

(b)(1),(b)(5)

Derived From: Multiple Sources
Declassify On: 25X1-Human

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(b)(1),(b)(5)

c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)

d. (U) Recommendation.

(b)(1),(b)(5)

8. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

COLONEL, USMC
Presiding Officer

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Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

15 October 2008

To: QAHTANI, SA'D MUHAMMAD HUSAYN

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF QAHTANI, SA'D MUHAMMAD HUSAYN

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:

a) Commitment

- 1) The detainee stated he became aware of religious and political issues, as well as the importance of jihad as part of Muslim responsibilities, after hearing speeches from fighters who were actively involved in the Afghanistan-Russian War.
- 2) The detainee stated he wanted to go to Chechnya to lend relief support or fight on behalf of his Muslim counterparts. The detainee stated he planned to enter Chechnya, whose borders were closed at the time, by joining a relief organization. Once there, the detainee stated he planned to leave the relief organization and join the fighting.
- 3) The detainee stated that in 1999 a friend told him that Kashmir, Pakistan, was the same as Chechnya so the detainee decided to travel to Kashmir instead.
- 4) The detainee stated he traveled to Karachi, Pakistan, via the United Arab Emirates in 1999. The detainee stated once in Karachi, he wanted to travel to Kashmir, Pakistan, but was told by a cab driver that it would not be possible. The detainee stated the cab driver instructed the detainee to contact a local Muslim scholar. The detainee stated after meeting with the detainee, the scholar made arrangements for the detainee to fly to Lahore, Pakistan. The detainee stated he was instructed to go to the Raywan Center once he reached Lahore.

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DMO Exhibit 01
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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL QAHTANI, SA'D MUHAMMAD HUSAYN AL MUFLIH

- a. Reportedly, most major cities in Pakistan have Jamat-al-Tabligh centers, but the one in Raiwand, near Lahore, Pakistan, is the most important mosque to the Jamat-al-Tabligh, and serves as the organization's headquarters.
 - b. The Jamat-al-Tabligh has been supporting Islamic terrorist groups in south and Southeast Asia under the cover of conducting religious activities. The group is closely aligned with other Pakistani terrorist organizations and the al Qaida network.
- 5) The detainee stated the Raywan Center was a missionary center. The detainee stated he spent two nights at the Raywan Center before leaving with a group to Qwitly, Pakistan via Muzfarabad, Pakistan. The detainee stated once in Qwitly, the group then walked to a training camp called Quba.
 - 6) The detainee stated he returned to Saudi Arabia because he missed his family and felt he had fulfilled his purpose for traveling to the training camp which was to fight as every Muslim should. The detainee stated he remained in Saudi Arabia for approximately two months before he got the urge to return to Pakistan.
 - 7) The detainee stated that he traveled to the United Arab Emirates where he obtained a visa to enter Pakistan and from the United Arab Emirates he flew to Karachi and on to Lahore, Pakistan. In Lahore the detainee stated he went back to the Raywan center and rode a truck to Kashmir, Pakistan, and returned to the Quba Camp.
 - 8) The detainee stated he returned to the Quba Camp for approximately a week waiting for fighting, but there was none. The detainee stated he was urged by others to join the fighting in Afghanistan. The detainee stated he then left with a group to Afghanistan. The detainee stated the group traveled to Peshawar, Pakistan, and then to Torkhum, Pakistan, a busy border crossing between Pakistan and Afghanistan.

b) Training

- 1) The detainee stated that while at Quba Camp; he received training in physical exercise, weapons, religion, land navigation, and also how to navigate by the stars. The detainee stated the weapons training included instruction on Kalashnikov rifles, PK Machine Guns, hand grenades, and Rocket Propelled Grenades. The detainee stated most trainees stayed one month at the camp but he stayed for three months. The detainee stated he was issued a Kalashnikov rifle and stood guard duty during the extra time he was there.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL QAHTANI, SA'D MUHAMMAD HUSAYN AL MUFLIH

- 2) The detainee stated that while in Kashmir, Pakistan, he received a phone number for a man who he believed could help him receive military training. The detainee stated he called the man from Peshawar, Pakistan and the man told him to go to Rawalpindi, Pakistan, a suburb of Islamabad, Pakistan. The detainee stated he took a bus to Rawalpindi, Pakistan and met the man who took the detainee to the man's guest house where the detainee stayed for approximately a week. The detainee stated he then traveled to Jalalabad, Afghanistan, and stayed at another unidentified guest house for a few days to a week before traveling to a camp for training.
- 3) The detainee stated that while attending the camp he received weapons training on the AK-47, 7.62mm RPK rifle, 7.62mm PK rifle without tripod, RPG-7, and Makarov pistol. The detainee stated he received artillery training on the DSHK-38 12.5mm gun, AGS-17, and a weapon resembling the ZPU-2 14.5mm gun. The detainee stated he received training on 82mm mortars and the SPG-9 73mm gun. The detainee stated he also received tactics training, which included simulated attacks and instruction on regrouping, patrols, hand signals, and ambushes.
- 4) The detainee stated that after he trained at the camp near Khowst, Afghanistan he then trained on the T-54 and T-55 Soviet tanks at a Taliban armory also located in Khowst, Afghanistan. The detainee stated he then traveled to the front lines north of Kabul, Afghanistan, and stayed for five months.

c) Connections/Associations

- 1) The detainee stated he did not receive any instructions to leave Saudi Arabia for Afghanistan, but he was strongly influenced by several religious leaders, including a Saudi Sheikh who issued fatwas giving religious approval to fight on behalf of the Taliban against the Northern Alliance.
 - a. Reportedly, the Saudi Sheikh who influenced the detainee issued a fatwa calling for jihad in Afghanistan and that the Sheikh condoned the September 11, 2001 attacks against the United States and helped raise money for Usama bin Laden.
- 2) The detainee stated Camp Quba was affiliated with and run by a group known as Ashkar Taybah.
 - a. According to the Department of Homeland Security, Lashkar-e-Tayyiba is a designated foreign terrorist organization. Lashkar-e-Tayyiba is the armed wing of a Pakistan-based Sunni anti-United States missionary organization. The group has claimed or been implicated in a number of operations against Indian troops and civilian targets that have left dozens of people dead.

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DMO Exhibit 1
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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL QAHTANI, SA'D MUHAMMAD HUSAYN AL MUFLIH

- 3) The detainee stated that while on the front line near Kabul, Afghanistan, he performed security work behind the lines and carried a Kalashnikov rifle which he received from the commander of the line.
- 4) The detainee stated that on one occasion, the line was visited by an Egyptian who was protected by four to five Arab bodyguards. The detainee stated the Egyptian greeted the detainee and handed the detainee 500 United States Dollars, which he was to hand out to his Muslim brothers. The detainee stated he used some of the money to buy supplies in Kabul, Afghanistan and distributed the remainder to fighters on the line.
- 5) The detainee stated he would occasionally take a turn manning a forward reconnaissance point, but was primarily assigned guard duty during his time on the front line. The detainee stated he only fired his weapon at people who were trying to block the retreat.
- 6) The detainee stated his group from the line eventually retreated to Jalalabad, Afghanistan. The detainee stated he joined a new group of Arabs when he learned Jalalabad had fallen to the Northern Alliance. The detainee stated he did not think he needed his passport any longer, so he gave it to the commander of his line.
- 7) The detainee stated the group headed to Pakistan, traveling from town to town. The detainee stated the residents provided assistance, but demanded the group surrender their weapons as the residents were concerned about protecting themselves. The detainee stated he kept a hand grenade. The detainee stated the group eventually reached the Tora Bora Mountains in Afghanistan.
- 8) The detainee stated that once his group reached Tora Bora, Afghanistan, the members of the group took a fighting position near a SAM-7 Missile site. The detainee stated he was issued a Kalashnikov rifle and was assigned to a trench.
- 9) The detainee stated he left Tora Bora, Afghanistan, with three or four other Arabs. The detainee stated the group headed to the Pakistani border point. The detainee stated others in the group decided not to surrender at the border, so they headed back to Afghanistan. The detainee stated he decided to surrender to the Pakistanis because he had no money or food.

d) Other Relevant Data

- 1) The detainee's name was on a list of al Qaida Mujahedin. The list indicates that the detainee's passport, credit card, and discharge identification card were held in an al Qaida account.

ISN 200
DMO Exhibit 1
Page 4 of 5

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL QAHTANI, SA'D MUHAMMAD HUSAYN AL MUFLIH

- 2) The detainee stated he knew two hijackers who were on United Flight 93 during the 11 September 2001 attacks.

4. Factors Favoring Release or Transfer:

- a) The detainee stated he did not go to Afghanistan with the intention of joining the Taliban. The detainee's stated his main purpose was to see the accomplishments of the Taliban.
- b) The detainee stated he was never an al Qaida member and does not know if he ever met or fought with al Qaida forces.
- c) The detainee stated he did not swear bayat to Usama bin Laden or any terrorist organization.
- d) The detainee stated that he has never had training in explosives.
- e) The detainee stated he would never be involved with an organization or militia whose purpose was to commit terrorist acts. The detainee also stated he would not involve himself with a group that would act as the aggressor in a military campaign.
- f) The detainee stated he had no prior knowledge of the 11 September 2001 attacks on the United States or knowledge of any rumors or plans of future attacks on the United States or its interests.
- g) The detainee stated that if released, he would like to return home to see his family and complete his studies. The detainee stated he would not return to Afghanistan, Pakistan, or any other country for the purpose of taking up arms against the United States or its allies.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

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Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

SECRET//NOFORN
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC *16 4/9/08*

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION**
ICO ISN 202 (YEMEN)

o Subject ARB was held on 19 February 2008 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)

o Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION (b)(1),(b)(5)
 (b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *[Signature]*
 (5) *4-10*
 Or Transfer _____ Release _____

Attachments:

- Tab A OARDEC ASJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE
REVIEW BOARD DECISION FOR ISN 202

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC refused to attend the interview.

d. (U) The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Detention Group (JDG) point of contact for delivery to the EC. The AMO received written confirmation of delivery to the EC from the JDG.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 3 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

SECRET//ORCON/NOFORN

(1) (U) Deputy Assistant Secretary of Defense for EC Affairs (DASD-DA)

(b)(1),(b)(5)

(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)

(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)

(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

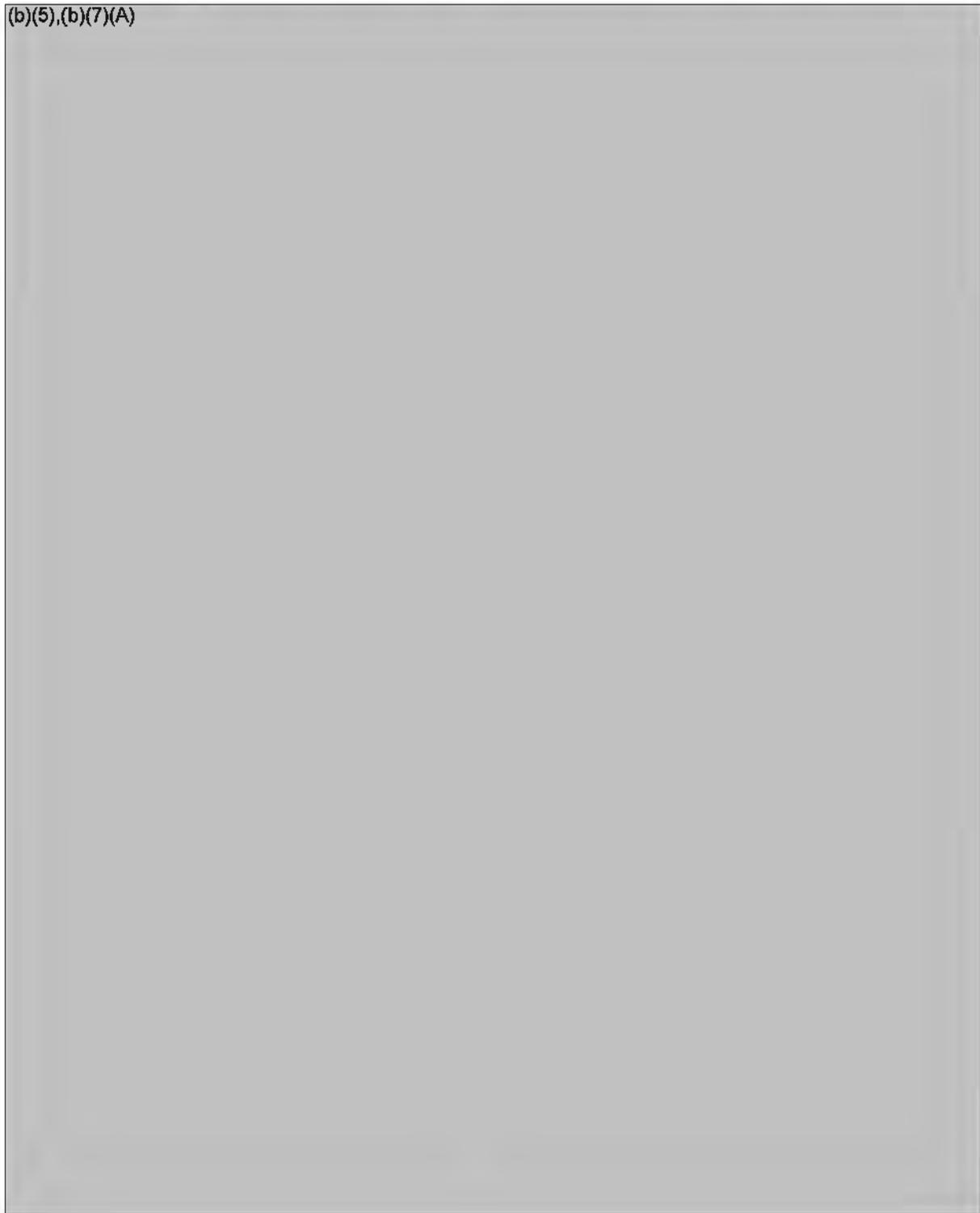
(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(b)(5),(b)(7)(A)



(b)(5),(b)(7)(A)

(b)(1),(b)(5)

(b)(1),(b)(5)

d. **(U) Operations, Combat and Capture**

(b)(5),(b)(7)(A)

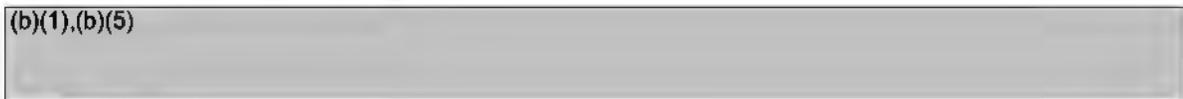
(b)(1),(b)(5)

(b)(1),(b)(5)

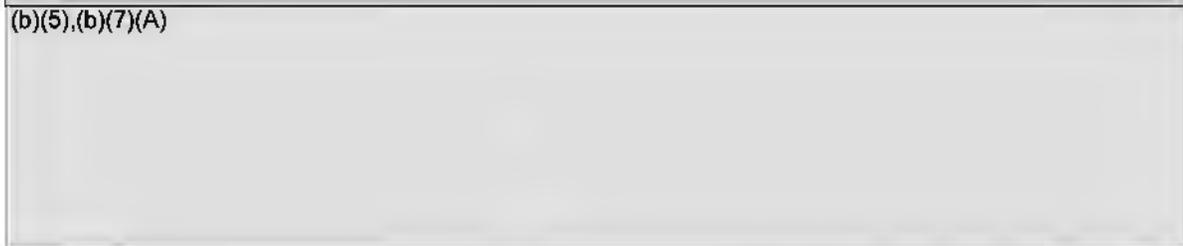


c. (U) Organizational Affiliations

(b)(1),(b)(5)



(b)(5),(b)(7)(A)

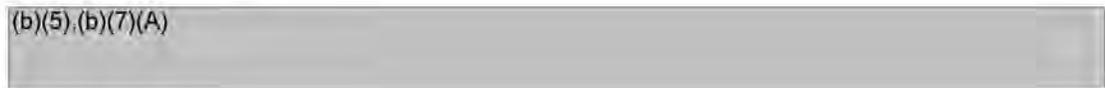


(b)(1),(b)(5)



f. (U) Individual Affiliations

(b)(5),(b)(7)(A)



g. (U) Behavior

(b)(1),(b)(5)



(b)(1),(b)(5)

h. **(U) Other Information**

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

i. **(U) Factors in Support of Release**

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

5. (U) Third Party / Home Country Statements

(b)(5)

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ Threat Level. (b)(1),(b)(5)

(b)(1),(b)(5)

b. ~~(S//NF)~~ Intelligence Value. (b)(1),(b)(5)

(b)(1),
(b)(5)

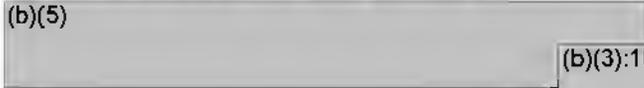
(b)(1),(b)(5)

(b)(1),(b)(5)

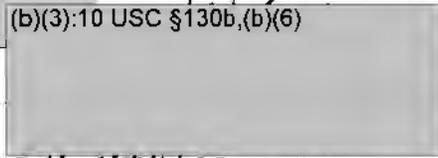


8. (U) Board Members' Voting Results

(b)(5)



(b)(3):10 USC §130b,(b)(6)



Colone~~y~~, United States Army
Presiding Officer

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

07 February 2008

To: BIN ATEF, MAHMOUD OMAR MUHAMMED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF BEN ATIF, MAHMUD OMAR

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.

2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.

3. The following primary factors favor continued detention:

a) Commitment

- 1) The detainee stated he was recruited at a local mosque in Jeddah, Saudi Arabia. The detainee stated he was influenced by everyday events, videos about jihad, and people talking. While at the mosque the detainee was talked to about going to Afghanistan to fight in the jihad.
- 2) The detainee stated he traveled with an individual from Jeddah, Saudi Arabia through Bahrain, Karachi and Quetta, Pakistan and on to Afghanistan until they arrived at a guest house. The detainee stayed at this guest house for four days and then went by bus to the al Farouq camp to train. The detainee stated he funded the trip to Afghanistan with his own money.
- 3) The detainee stated the guest house was in Kandahar, Afghanistan and was for new arrivals in Afghanistan wishing to participate in the jihad.
- 4) The al Farouq training camp is located in Kandahar, Afghanistan and was visited by Usama bin Laden after 11 September 2001 to celebrate the terrorist attacks on the United States.

ISN 202
DMO Exhibit 1
Page 1 of 4

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF BEN ATIF, MAHMUD OMAR

- 5) The detainee stated that soon after he arrived at the Kandahar guest house he was given paperwork to fill out. The detainee provided basic biographical information such as name and where he came from. The detainee stated he was told by a Yemeni man not to write his real name on this paperwork, but to fill in the space with his Abu name. The detainee completed the paperwork as instructed and turned over his passport. The detainee stated a Yemeni man coordinated the detainee's entry to the camp.
 - 6) The detainee stated he took a civilian plane from Kandahar airport to Kabul, and then traveled to Konduz, Afghanistan.
 - 7) The detainee stated he proceeded to the front lines in Khajah Kar, Afghanistan, where he was told he would fight with the Taliban against the Northern Alliance. The detainee had been told by religious sheikhs in Saudi Arabia, before his travels to Afghanistan, that the Northern Alliance were bad people. The detainee stated Khajah Kar, Afghanistan was a defensive position, and he did not take part in any fighting or see Americans or American Forces.
 - 8) The detainee stated he trained to fight first against Masoud and the Northern Alliance, and then any others who might come after Masoud. The detainee stated his enemies were the Northern Alliance. The detainee stated he only saw light conflicts during the exchange of artillery. This happened at Khoshaghar and Konduz, Afghanistan.
 - 9) The detainee was identified as carrying a rocket propelled grenade while at Kvaj Gar, Afghanistan. Such weapons had been fired at U.S. airplanes.
 - 10) The detainee was identified as someone who was recruited to be a Mujahedin from Mecca, Saudi Arabia, from the Jamat-al-Tabiligh Organization.
 - 11) Jamat-al-Tabiligh is a legitimate Islamic missionary organization based in Pakistan and believed to be used as a cover for action by Islamic extremists.
 - 12) The detainee stated even though he is an Arab he considered himself a Taliban. The detainee stated he was at the front lines fighting for the Taliban.
- b) Training
- 1) The detainee stated that while at al Farouq training camp he received training on how to use light weapons, Kalashnikov, rocket propelled grenades, and pistols during the three weeks he was at the camp. The detainee stated he did not attend any other training and left the camp due to the training being too strenuous.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF BEN ATIF, MAHMUD OMAR

- 2) The detainee was identified as being present at al Farouq training camp with Mujahedin of various nationalities sometime between approximately July 2001 and September 2001.
- c) Connections/Associations
 - 1) The detainee stated he met Usama bin Laden at the al Farouq training camp.
 - 2) The detainee's alias was listed on a document recovered in a raid on suspected al Qaida safe houses in Pakistan.
- d) Other Relevant Data
 - 1) The detainee stated that when he attended al Farouq training camp in Afghanistan he was told the camp was a combined effort between the Taliban government and al Qaida. However, by the end of the detainee's training it became clear to him that al Farouq camp belonged to Usama bin Laden.
 - 2) The detainee stated that during his time at al Farouq, around July 2001, Usama bin Laden visited and gave a speech about the behavior of Mohammed's followers. Usama bin Laden did not meet with anyone in particular, but trainees at the camp were able to approach and talk with him freely.
 - 3) The detainee stated he was captured by Dostum's forces when there was a heavy attack on the Pakistani forces. The line commander ordered a withdrawal to Konduz, Afghanistan, where the detainee was captured.
 - 4) The detainee stated he fought on the front lines in Konduz, Afghanistan until his capture in December 2001.
 - 5) The detainee stated he was a prisoner in Mazar-e-Sharif, Afghanistan during the prison uprising that killed a Central Intelligence Agency officer. The detainee explained that during the interviews by the Americans he heard a loud explosion. Shortly afterward, the tower prison guards started firing indiscriminately into the crowd of prisoners. It was during this time that the detainee was hit in the leg by a bullet.
4. The following primary factors favor release or transfer:
 - a) The detainee stated he never trained with explosives, chemicals, biological agents, or nuclear material.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF BEN ATIF, MAHMUD OMAR

- b) The detainee stated he was asked to take an oath to Usama bin Laden but he did not since he might have been obligated to do things that he might not want to do.
 - c) The detainee stated he was never screened for or asked to participate in a martyrdom mission.
 - d) The detainee stated he has never shot at or killed anyone.
 - e) The detainee denied having any knowledge of the attacks in the United States prior to their execution on 11 September 2001 and also denied knowledge of any rumors or plans of future attacks on the United States or United States interests.
5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

UNCLASSIFIED



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC *18/4/08*

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION**
ICO ISN 213 (Kuwait)

o Subject ARB was held on 25 Apr 08 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: [Redacted]
- Other Factors: [Redacted]

o Intelligence inputs used in the ARB's determination of this EC's case include:

- (b)(1),(b)(5)
- [Redacted]
- [Redacted]

o Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: (b)(1),(b)(5)
 (b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *6-13-08*

Or Transfer _____ Release _____

Attachments:

- Tab A OARDEC ASJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 213

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

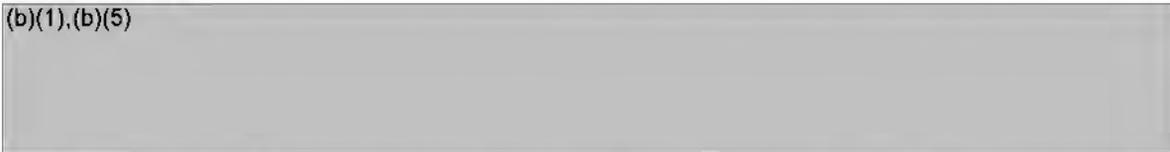
a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee was uncooperative or unresponsive.

d. (U) The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Detention Group (JDG) point of contact for delivery to the detainee. The AMO received written confirmation of delivery to the detainee from the JDG.

(b)(1),(b)(5)



f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) **Summary of Information Considered**

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-1 through DMO-38.
- c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)



(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)



(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)



(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)



(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)



(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Conclusions and Recommendation of the Administrative Review Board

a. **(S//NF) Threat Level.** (b)(1),(b)(5)

(b)(1),(b)(5)

(b)(1),(b)(5)

b. ~~(S//NF)~~ **Intelligence Value** (b)(1),(b)(5)
(b)(1),(b)(5)



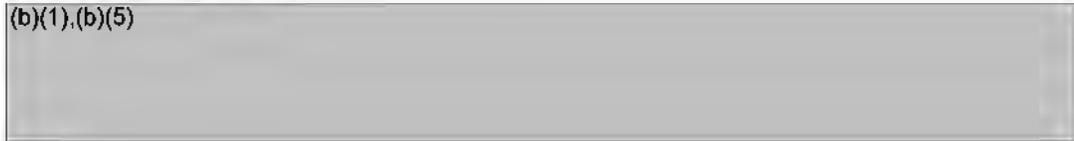
c. (U) **Detainee Treatment Act Consideration.**

(b)(1),(b)(5)



d. (U) **Recommendation.**

(b)(1),(b)(5)

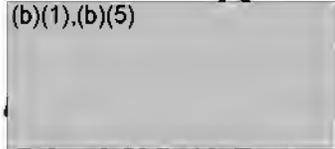


7. (U) Board Members' Voting Results

(b)(5)

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(b)(1),(b)(5)

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Colonel, U.S. Air Force
Presiding Officer

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

16 April 2008

To: AL-MUTAYRI, KHALID ADULLAH MIJSH'AD

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AL-MUTAYRI, KHALID ADULLAH MIJSH'AD

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.

2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.

3. The following primary factors favor continued detention:

a. Commitment

1. The detainee stated that while working for the Ministry of the Interior he would often take extended leaves of absence during which he would help family members and travel. During the leaves of absence the detainee traveled three times to Dubai, United Arab Emirates, three times to Damascus, Syria, three or four times to Bangkok, Thailand, and several times to Bahrain and Saudi Arabia. During the leaves of absence the detainee would make money by buying things and reselling them for a profit.
2. The detainee stated that in 1999 he hired an Afghan to build a small room in the desert to be used as a gathering place for his friends. The detainee told the Afghan he would like to someday build a mosque in Afghanistan. In the spring of 2001, the Afghan, who had since returned to Afghanistan, called the detainee and told him it was a good time to build the mosque. The detainee stated he had about 15,000 United States dollars available for the project from his savings and money given to him from his father.
3. The detainee stated that on 21 or 22 September 2001 he flew from Kuwait to Mashad, Iran, spent one night in Taibat, Iran, then took a taxi to the Iran/Afghanistan border where he walked across and met the Afghan. The detainee and the Afghan then took a taxi to his house in Namruz.

ISN 213
DMO Exhibit 1
Page 1 of 5

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL-MUTAYRI, KHALID ADULLAH MIJSH'AD

4. The detainee stated the Afghan told him it would cost only 9,000 United States dollars to build the mosque. As the detainee had brought 15,000 United States dollars for the project, the Afghan suggested they travel to Kabul, Afghanistan to visit al Wafa, which performed various charitable projects in Afghanistan, because the Afghan felt the detainee may want to donate some of the remaining money to one of al Wafa's projects.
 - a. Al Wafa al Igatha al Islamia is on the United States Government's Terrorist Exclusion List. An organization can be placed on the Terrorist Exclusion List if the United States Secretary of State finds that the organization commits or incites to commit, under circumstances indicating an intention to cause death or serious bodily injury, a terrorist activity; or prepares and plans a terrorist activity; or gathers information on potential targets for terrorist activity; or provides material support to further terrorist activity.
5. The detainee stated he did not provide 9,000 United States dollars to the Afghan for the construction of the mosque until after they had reached Kabul.
6. The detainee stated he and the Afghan traveled to Kabul to the al Wafa office, where the detainee met with an Arab and agreed to donate 1,000 United States dollars to al Wafa to help build a school.
7. The detainee stated he visited the Wafa office in Kabul twice and had only met with the al Wafa employee.
8. The detainee stated he stayed with a friend of the Afghan outside of Kabul for four days. The detainee stated that during this time he made another visit to the al Wafa office, where he again discussed al Wafa projects with the Arab, and also gave 2,000 United States dollars to the Afghan's friend to buy food and clothing for refugees. After four days the detainee decided he wanted to go home.
9. The detainee stated he went to a border crossing and did not know which country was on the other side of the border, but stated he thought it was probably Pakistan. The Afghan guards at the border would not let the detainee cross because the border had been sealed, so he returned to the house of the Afghan's friend for three weeks, waiting for the borders to open.
10. The detainee stated that after three weeks he was told there was fighting in Kabul and that Arabs were being arrested, so he decided to leave by whatever means possible. One day before he was to leave the Kabul area, the detainee's bag, which contained his passport and all but 400 United States dollars, was stolen.

UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL-MUTAYRI, KHALID ADULLAH MIJSH'AD

11. The detainee was listed in a document as supposedly held by America, showing that the detainee had fought with the Taliban against the Northern Alliance.
12. The detainee was identified as traveling to Afghanistan after 11 September 2001 for jihad and arriving in Afghanistan with a list of all Kuwaitis in Afghanistan for jihad.
13. The detainee was identified as having ties to Lashkar-e-Tayyiba and attending an annual meeting the organization held in Punjab, Pakistan. The detainee also had a point of contact at the Lashkar-e-Tayyiba headquarters in Lahore, Pakistan.
 - a. Lashkar-e-Tayyiba has been designated a foreign terrorist organization by the United States Department of Homeland Security.
14. The detainee was reportedly a member of al Qaida.

b. Associations/Connections

1. The detainee's name, safety deposit box number, and safety box contents were found on a document, which was recovered in a raid on an alleged al Qaida residence in Karachi, Pakistan.
2. The detainee's name and phone number appeared on a document listing the names of captured Mujahedin associated with a senior al Qaida lieutenant, which was seized during raids in Pakistan.
3. The detainee's name appears on a file listing contact points for al Qaida Mujahedin who had come to Afghanistan in December 2001, but who had not completed their training and therefore were not ready to fight in the war. The file was recovered during raids against al Qaida-associated safe houses.
4. The detainee's name was found on a list recovered from a suspected al Qaida safe house, listing Arabs incarcerated in Pakistan.
5. The detainee's name appeared on a document listing 324 Arabic names recovered from safe house raids associated with suspected al Qaida in Karachi, Pakistan.
6. The detainee's name appeared on a chart showing the relationship between al Qaida elements and Kuwaiti extremists.
7. The detainee was listed with Taliban and al Qaida fighters who crossed the border into Pakistan at Nangarhar, Afghanistan and were captured by the Pakistan government on 14 December 2001.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL-MUTAYRI, KHALID ADULLAH MIJSH'AD

8. The detainee was identified as having connections to Usama bin Laden.
9. The detainee stated he fought with Usama bin Laden in Afghanistan in 1991 and had the honor of being Usama bin Laden's humble servant.

c. Training

1. The detainee was identified as attending an al Wafa training camp.
2. The detainee was identified as receiving training with Lashkar-e-Tayyiba.

d. Other Relevant Data

1. The detainee stated he traveled to a house in Khowst, Afghanistan and stayed there for a month before hiring a guide to take him to the Pakistan border. The detainee and the guide drove four or five hours toward Pakistan then walked for three days. On the last day the guide left and came back with a group of about ten unarmed Arabs also trying to get into Pakistan.
2. The detainee stated he was interviewed by a Pakistani guard at the border crossing and asked to be taken to the Kuwaiti Embassy, but instead was taken to jail. The detainee was moved to several different jails, finally ending up in a prison where he remained for a month before being taken into custody by the United States military.
3. The detainee was transferred to United States military custody on 2 January 2002 from Kohat, Pakistan.
4. The detainee was identified as having worked as a prison guard in Kuwait.

4. The following primary factors favor release or transfer:

- a. The detainee denied any prior knowledge of the 11 September 2001 terrorist attacks.
- b. The detainee stated he did not agree with the terrorist attacks carried out against America and other countries. The detainee did not think the United States government waged war against Islam and he did not perceive the United States as an enemy.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL-MUTAYRI, KHALID ADULLAH MIJSH'AD

- c. The detainee denied he had ever received any military training, carried a weapon, or participated in any combat.
 - d. The detainee denied ever receiving any type of terrorist or military training.
 - e. The detainee denied he had ever attended any training camp, fought in Tora Bora, or been in Tora Bora with any Islamic fighters.
 - f. The detainee stated he did not know any of the Arabs he was captured with and was a long distance from any active military operations. The detainee stated he knows nothing about terrorism.
 - g. The detainee stated the first he had ever heard of al Qaida was when he was imprisoned and does not know anyone affiliated with the organization.
 - h. The detainee stated al Wafa looked like a legitimate charity to him, and he had not heard of any connection between al Wafa and any terrorist organizations.
 - i. The detainee stated he was unaware the money he provided to al Wafa was used to support the al Qaida network.
 - j. The detainee stated he does not consider the United States an enemy and has no intention to take up arms or participate in any terrorist activity if released from United States custody. The detainee stated he intends to return to Kuwait and attempt to find employment there.
5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

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Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC *JS* 4/10/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION**
ICO ISN 224 (YEMEN)

o Subject ARB was held on 29 February 2008 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)

o Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: (b)(1),(b)(5)

(b)(1),(b)(5)
 (b)(1),(b)(5) (Detain) *JS* 5-6
 Or Transfer _____ Release _____

Attachments:

- Tab A OARDEC ASJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

**(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE
REVIEW BOARD DECISION FOR ISN 224**

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 3 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) (U) Deputy Assistant Secretary of Defense for EC Affairs (DASD-DA)

(b)(1),(b)(5)

(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)

(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)

(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(b)(5)

a. (U) Recruitment

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

b. (U) Travel

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

c. (U) Training

(b)(5),(b)(7)(A)

d. (U) Operations, Combat and Capture

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

e. (U) Organizational Affiliations

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

f. (U) Individual Affiliations

(b)(5)

g. (U) Behavior

(b)(1),(b)(5)

h. (U) Other Information

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

i. (U) Factors in Support of Release

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

5. (U) Third Party / Home Country Statements

(b)(5)

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ Threat Level. (b)(1),(b)(5)
(b)(1),(b)(5)

b. ~~(S//NF)~~ Intelligence Value. (b)(1),(b)(5)
(b)(1),(b)(5)

c. ~~(S//NF)~~ Detainee Treatment Act Consideration. (b)(1),(b)(5)
(b)(1),(b)(5)

d. ~~(S//NF)~~ Recommendation. (b)(1),(b)(5)
(b)(1),(b)(5)

8. (U) Board Members' Voting Results

a. (b)(5) [Redacted]

(b)(3):10 USC §130b,(b)(6) [Redacted]

Colonel/ United States Army
Presiding Officer

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

13 February 2008

To: MUHAMMAD, ABD AL-RAHMAN ABDULLAH ALI

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF SHUBATTI, ABDUL RAHAMAN ATAH ALLAH ALI
MAHMOOD

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) Commitment
 - 1) The detainee stated he heard from a man in his village that Arabs were welcomed in Pakistan and that Koranic teachers were needed there.
 - 2) The detainee stated he borrowed 40,000 Yemeni riyals from a man who owned several businesses in Yemen for his travel to Pakistan.
 - 3) The detainee stated he spent three months in Karachi, Pakistan looking for work. He stayed with a Yemeni friend whom he had known for two years.
 - 4) The detainee stated he arrived in Quetta, Pakistan in July or August 2001, and went to the Taliban center to find work in Afghanistan. He was told there was no work to be found in Afghanistan, therefore, two days later he returned to Karachi, Pakistan, where he stayed for approximately 20 days.
 - 5) The detainee stated he returned to the Taliban office in Quetta, Pakistan and paid for a guide who took him to Kandahar, Afghanistan to find work.

ISN 224
DMO Exhibit 1
Page 1 of 3

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF SHUBATTI, ABDUL RAHAMAN ATAH ALLAH ALI MAHMOOD

- 6) The detainee stated that while in Kandahar, Afghanistan he stayed at a madrasa for ten days. At the end of the ten days, the detainee heard of the 11 Sept 2001 events and decided to attempt to get out of the country. The detainee stated people at the Madrasa agreed to help the detainee flee, but not before sending the detainee to a known Taliban house 10 to 15 minutes west of Kabul, Afghanistan.
 - 7) The detainee stated that while in Kabul, Afghanistan, he stayed in a Taliban house.
 - 8) The detainee stated the Taliban house had five to twenty personnel armed with AK 47s at any given time.
 - 9) The individual who ran the Taliban house was identified as a Taliban commander in charge of a camp that trained and housed Taliban soldiers who fought on the Bagram line.
- b) Connections/Associations
- 1) The detainee is a member of al Qaida.
 - 2) The detainee's name was found on a document listing 324 Arabic names, aliases, and nationalities recovered during a raid on a suspected al Qaida safe house. According to the document, the detainee was in possession of a Saudi passport, ticket, and identification cards.
 - 3) The detainee's name appeared on a letter listing 68 probable al Qaida members incarcerated in Pakistan. The letter writer encourages the correspondent to incite the people against the Pakistani government.
 - 4) The detainee's name, country, and family telephone number were listed on a document published on the internet in July 2002. The document contained information regarding the capture of 84 Taliban and al Qaida fighters who had crossed the border in Nangarhar Province, Afghanistan.
 - 5) The detainee's name was found on a list seized from the suspected al Qaida cell that attacked United States forces in October 2002. The list contained an extensive Arabic language manual that appeared to outline how to case and attack buildings, vehicles and personnel and contained a handwritten Arabic explosives manual.
 - 6) The detainee stated his father is a member of Jamat-al-Tabligh. The detainee stated one of his father's friends is also a member of Jamat-al-Tabligh and helped the organization

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF SHUBATTI, ABDUL RAHAMAN ATAH ALLAH ALI MAHMOOD

build a mosque in Al Akroa, Yemen.

- 7) The detainee was identified as a member of Jamat-al-Tabligh.
- 8) The Jamat-al-Tabligh organization preaches Islam, but have been supporting Islamic terrorist groups in south and southeast Asia under the cover of conducting religious activities. The group is closely aligned with other Pakistani terrorist organizations and the al-Qaida network
- 9) The detainee stated he was a member of the Islah Party.
- 10) The detainee stated his father was a member of the al-Islah Political Party.

c) Other Relevant Data

- 1) The detainee stated he had no military experience, but had fired a Kalashnikov rifle in Yemen.
- 2) The detainee stated he was captured in early December 2001.

4. The following primary factors favor release or transfer:

- a) The detainee denied going to Afghanistan to participate in jihad. The purpose of his travel was to obtain employment teaching the Koran.
- b) The detainee stated he was not a member of al Qaida and no people should be hurt in the name of religion.
- c) The detainee denied receiving any weapons during his one month stay in Kabul, Afghanistan.
- d) The detainee denied having any knowledge of the attacks in the United States prior to their execution on 11 September 2001. The detainee also denied having any knowledge of any rumors or plans of future attacks on the United States or United States interests.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

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Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC *AS 5/27/08*

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION**
ICO ISN 232 (Kuwait)

o Subject ARB was held on 20 March 2008 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o Intelligence inputs used in the ARB's determination of this EC's case include:
 (b)(1),(b)(5)

o Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: (b)(1),(b)(5)
 (b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *[Signature]*
 Or Transfer _____ Release _____ *6-5-08*

Attachments:

- Tab A OARDEC ASJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 232

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC was uncooperative or unresponsive.

d. (U) The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Detention Group (JDG) point of contact for delivery to the EC. The AMO received written confirmation of delivery to the EC from the JDG.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 3 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6):

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)

(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)

(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)

(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

(b)(5)

4. (U) **Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant).**

(b)(5)

a. (U) **Recruitment**

(b)(5)

b. (U) **Travel**

(b)(1),(b)(5)

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

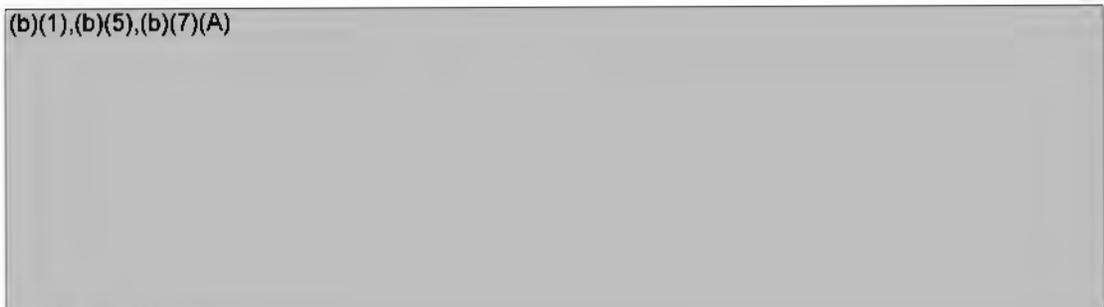
(b)(1),(b)(5)

(b)(5),(b)(7)(A)

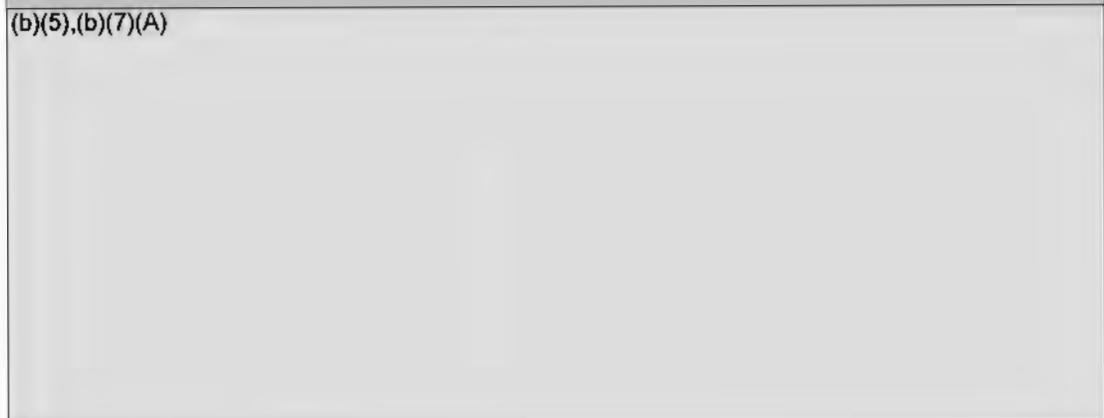


c. (U) Training

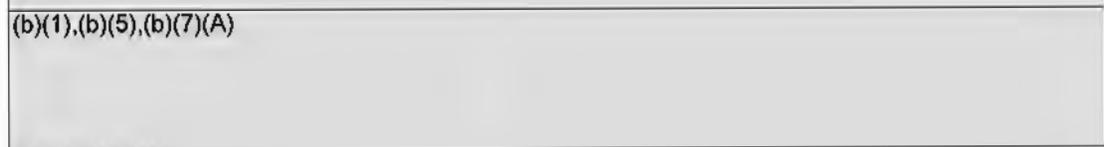
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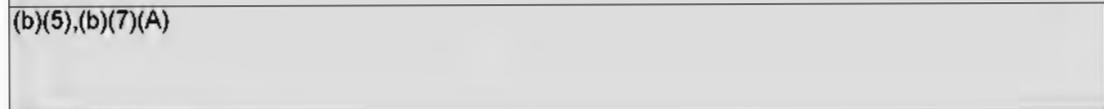
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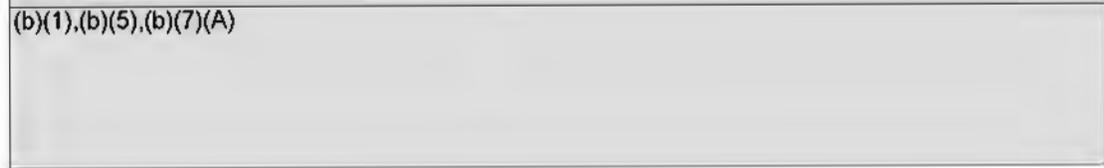
(b)(1),(b)(5),(b)(7)(A)



(b)(5),(b)(7)(A)



(b)(1),(b)(5),(b)(7)(A)



(b)(1),(b)(5)

d. (U) Operations, Combat and Capture

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

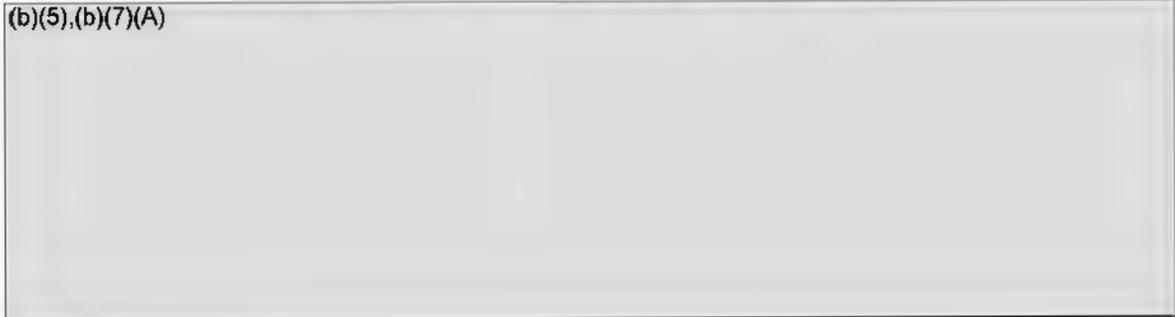
(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)



(b)(1),(b)(5),(b)(7)(A)



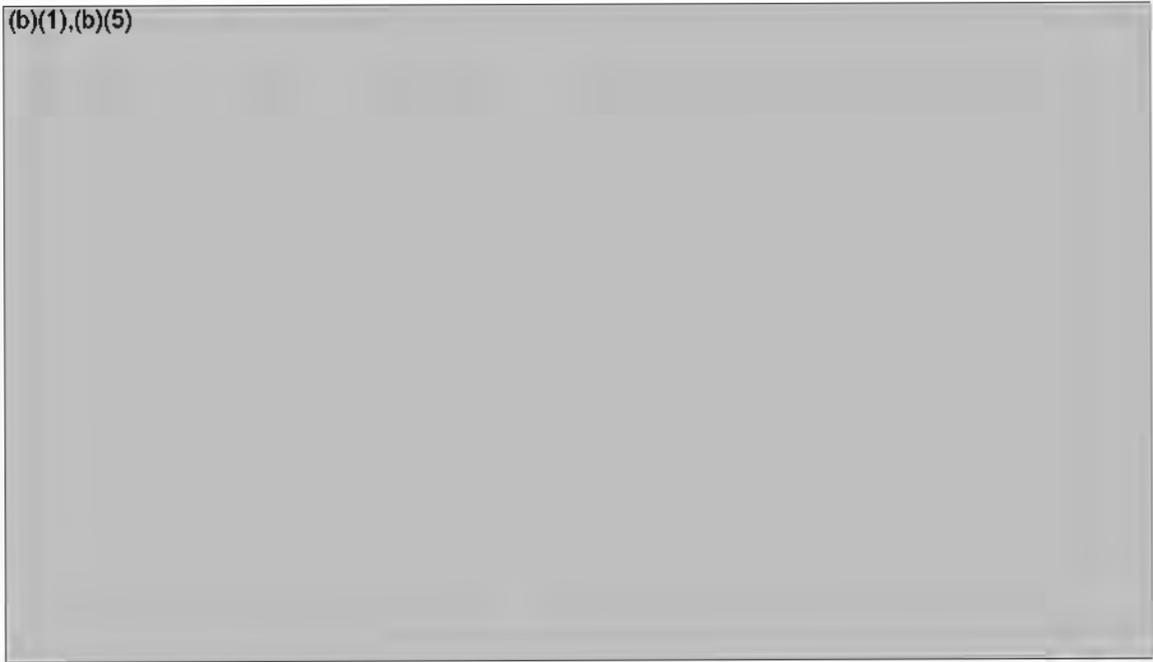
e. (U) Organizational Affiliations

(b)(1),(b)(5)



f. (U) Individual Affiliations

(b)(1),(b)(5)



(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

g. (U) Behavior

(b)(1),(b)(5)

h. (U) Other Information

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

i. (U) Factors in Support of Release

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

5. (U) Third Party / Home Country Statements

(b)(5)

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ Threat Level. (b)(1),(b)(5)

(b)(1),(b)(5)

(b)(1),(b)(5)

b. ~~(S//NF)~~ Intelligence Value. (b)(1),(b)(5)

(b)(1),(b)(5)

c. ~~(S//NF)~~ Detainee Treatment Act Consideration.

(b)(1),(b)(5)

d. ~~(S//NF)~~ Recommendation. (b)(1),(b)(5)

(b)(1),(b)(5)

8. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

Colonel, U.S. Army
Presiding Officer

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

11 March 2008

To: AL AWDA, FOWZI KHALID ABDULLAH

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AL AWDA, FOWZI KHALID ABDULLAH

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) Commitment
 - 1) The detainee stated he traveled to Afghanistan to provide monetary relief to affected Afghans.
 - 2) The detainee stated he used cash to purchase a one-way ticket to Dubai, United Arab Emirates, at a travel office in Fereha, Kuwait. The detainee stated he traveled alone and brought approximately 4,000 United States Dollars, 4,000 Saudi Riyals and 400 German Deutsche Marks with him. The detainee stayed in Dubai for a few days in a hotel whose name he could not recall. The detainee stated that the second day of his stay in Dubai he purchased a one-way ticket to Pakistan.
 - 3) The detainee stated he flew to Karachi, Pakistan where he stayed for one or two days. During this stay, the detainee purchased a plane ticket to Quetta, Pakistan for 3000 Rupees. The detainee stated from Quetta he took a taxi to the Afghanistan border and then went to a mosque in Spin Buldak, Afghanistan.
 - 4) The detainee stated that while in Spin Buldak, Afghanistan, the detainee asked a sheik at the mosque if he could contact someone from the Taliban to assist him in traveling to places to teach in Afghanistan. The Taliban official that came to see the detainee was named Abu Jarrah. Abu Jarrah drove the detainee to Kandahar, Afghanistan and then

ISN 232
DMO Exhibit 1
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UNCLASSIFIED

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL AWDA, FOWZI KHALID ABDULLAH

later drove the detainee to Logar, Afghanistan.

- 5) The detainee stated he taught the Koran at various small schools in Spin Buldak, Afghanistan, but that he does not remember the names of the schools, of students or other teachers. The detainee stated he planned to teach during the first phase of his trip and dispense his money to the needy during the second stage of the trip. The detainee stated that an individual he met at the mosque in Spin Buldak told the detainee that he knew where the needy people lived and provided the detainee with names and addresses of the people. The detainee taught for a total of approximately two weeks in Spin Buldak and Kandahar, Afghanistan.
- 6) The detainee stated that he arrived in Kandahar, Afghanistan on or about September 10, 2001. The detainee stated that he thought his trip would only last another ten days. The detainee never rented a vehicle, instead he relied exclusively on the individual from the mosque in Spin Buldok as a source of transportation in Kandahar.
- 7) The detainee stated that when he arrived in Kandahar, Afghanistan, the Taliban official he traveled with assisted him in finding a room to rent in a house. The detainee stated the Taliban official did not stay with him, but lived elsewhere in Kandahar.
- 8.) The Taliban official who assisted the detainee was identified as being a trainer at al Farouq.
9. The detainee stated he stayed in Logar, Afghanistan, for about 20 days. The detainee stated that the man he stayed with arranged for the detainee to travel via taxi to a mosque in Jalalabad, Afghanistan, where there would be other Arabs. The detainee stated that when he arrived at the mosque, he met three Arab men. The detainee stated that all three Arabs carried AK-47s and appeared to be fighters.
10. The Arab man whose house he stayed at in Logar, Afghanistan was reportedly a commander of Taliban troops in the Tora Bora Mountains.
11. The detainee stated that after about two weeks in Jalalabad, Afghanistan, one of the Arab men he was staying with arranged for an Afghan guide to take the detainee to the Pakistani border. The detainee stated that Arab man gave the detainee an AK-47, at which point the detainee departed with a large group of others trying to make it through the Tora Bora Mountains to Pakistan.
12. The detainee stated that after Tora Bora, he joined up with a smaller group of twelve men to go through mountains that were covered with ice. The detainee stated that the group stayed in these mountains for approximately five days. The detainee stated that some of the men in the group may have been al Qaida or Taliban members, but he did not know

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL AWDA, FOWZI KHALID ABDULLAH

which ones. On reaching the Pakistani border, the group was captured by militia forces.

14. The detainee stated that when they encountered the Pakistani border guards, the detainee and the group he was with surrendered to the guards, laying down their AK-47s. The detainee stated he asked to be taken to the Kuwaiti Embassy; however, he was instead taken to a Pakistani prison. The detainee stated he stayed in the prison for about three weeks. The detainee stated he was then transferred to American custody in Kandahar, and then later to Cuba.

b) Training

- 1) The detainee stated that the same individual from the mosque in Spin Buldok took the detainee to a small camp outside of Kandahar, Afghanistan where the detainee fired a Kalashnikov rifle at some targets. The detainee stated the camp was located one hour, by automobile, outside of Kandahar, Afghanistan. There were no buildings at the camp, only tents. The detainee stated the camp was positioned in a flat area and was manned by fifty to sixty people. There were no weapons other than Kalashnikovs at the camp.
- 2) The detainee stated he fired an AK-47 a few times, but never received training on the use of the weapon.
- 3) The same man that drove the detainee to the camp outside Kandahar, Afghanistan, was identified as a trainer at the al Farouq training camp. The man trained on how to use light weapons like the Kalashnikov, the RPG and pistols.
- 4) The detainee was identified as being at al Farouq training camp.
- 5) The al Farouq training camp was funded by al Qaida where students received training on weapons, explosives, topography, and a basic commando course.

c.) Connections/Associations

1. The detainee's name and phone number were on a list of captured Mujahedin found with a senior Al Qaida operative.
2. The detainee's name appeared on a list which listed contact points and telephone numbers for al Qaida Mujahedin in Pakistan.
3. The detainee was identified as being at the Nabras guesthouse before traveling to al Farouq.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL AWDA, FOWZI KHALID ABDULLAH

4. The Nabras guesthouse in Kandahar was identified as being used by fighters heading to the al Farouq training camp and also by Usama bin Laden.
CFN #15

4. The following primary factors favor release or transfer:

- a) The detainee denied having any knowledge of the attacks in the United States prior to their execution on September 11, 2001. The detainee also denied knowledge of any rumors or plans of future attacks on the United States or its interests.
- b) The detainee reiterated that he just wanted to go to Afghanistan for three weeks to teach and give money to the poor and then get back to his job with the Kuwaiti government. The detainee denied going to Afghanistan to fight the jihad, as he stated there were Muslims on both sides of the fight, and he could not kill Muslims.
- c) The detainee stated he is not a member of the Taliban or al Qaeda, and that he was not a soldier and has had no formal military training.
- d) The detainee stated that no one in his group of seven or eight persons in the Tora Bora Mountains was a soldier or ever fired their weapon at anyone.
- e) The detainee denies attending any training camps and stated he never fought with or knew anyone belonging to al Qaida.
- f) The detainee indicated he has never met Usama bin Laden and has never fought against coalition forces.
- g) The detainee is not aware of any potential upcoming attacks against the United States or Western interests. The detainee is also is not aware of any potential plans by al Qaida or other extremist groups to reconstitute past terrorists plots or conduct new attacks as follow-up operations to the events of September 11, 2001.

CFN #18

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

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Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *DA*

FROM: Director, OARDEC (U) *18 10/10/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD (ARB) ASSESSMENT AND RECOMMENDATION ICO ISN 233 (YEMEN)

(b)(5)

(b)(5)

o ~~(S//NF)~~ Subject ARB was held on 26 Aug 2008, resulting in a ~~(b)(1),(b)(5)~~ recommendation to ~~(b)(1),(b)(5)~~ based on the following:

- Threat Assessment: ~~(b)(1),(b)(5)~~
- Intelligence Value: ~~(b)(1),(b)(5)~~
- Other Factors: ~~(b)(1),(b)(5)~~

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:

~~(b)(1),(b)(5)~~

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	(b)(1),(b)(5)
FBI	(b)(1),(b)(5)

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION: ~~(b)(1),(b)(5)~~

~~(b)(1),~~ (Detain) *[Signature]*
 Or Transfer _____ Release _____ *12-1-08*

o (U) Attachments:

- Tab A OARDEC SJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 233

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee understood the process.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

3. (U) Summary of Information Considered

Derived From: Multiple Sources

Declassify On: 25X1-Human

ISN 233

Enclosure (4)

Page 1 of 5

SECRET//ORCON/NOFORN

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-29.
- c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5).

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)



(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



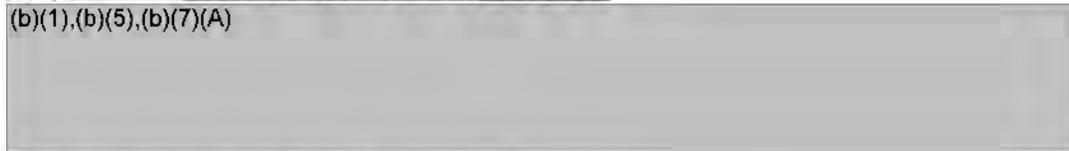
(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)



(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)



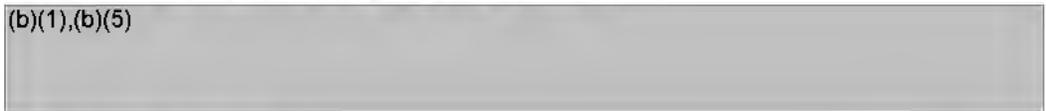
(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)



(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)



Derived From: Multiple Sources

Declassify On: 25X1-Human

ISN 233

Enclosure (4)

Page 2 of 5

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(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Third Party / Home Country Statements

(b)(5)

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

6. (U) Additional Information

(b)(1),(b)(5)

7. (U) Conclusions and Recommendation of the Administrative Review Board

(b)(1),(b)(5)

Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 233
Enclosure (4)
Page 3 of 5

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

b. ~~(S//NF)~~ Intelligence Value. (b)(1),(b)(5)

(b)(1),(b)(5)

(b)(1),(b)(5)

c. (U) Detainee Treatment Act Consideration.

Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 233
Enclosure (4)
Page 4 of 5

(b)(1),(b)(5)

d. (U) Recommendation.

(b)(1),(b)(5)

8. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

CAPTAIN, U.S. Navy
Presiding Officer

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

20 August 2008

To: SALIH, ABD ALRAZAQ MUHAMMED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF SALIH, ABD ALRAZAQ MUHAMMED

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.

2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.

3. Factors Favoring Continued Detention:

a) **Commitment**

- 1) The detainee stated he heard a message from a senior religious official to teach people in Afghanistan, to pray and understand the Koran. The detainee stated he decided to travel for Dawa and to serve God.
- 2) The detainee stated he worked on his father's ghat farm in Yemen, but felt compelled to go to Afghanistan, to teach the Koran to the Afghans. The detainee stated he was not formally trained in the Koran, but wanted to go to recite what he could. The detainee stated that the money for the trip came from his family.
 - a. Reportedly, "Ghat" is a narcotic drug with hallucinogenic properties.
- 3) The detainee traveled to Afghanistan prior to 11 September 2001 via Dubai, United Arab Emirates, and Karachi, Pakistan.
- 4) The detainee stated that his true calling is performing Dawa (spreading Islam). The detainee stated he felt compelled to travel to Afghanistan, and spread Dawa because he believed the people of Afghanistan, were ignorant of God's message.

ISN 233
DMO Exhibit 1
Page 1 of 4

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF SALIH, ABD ALRAZAQ MUHAMMED

- 5) The detainee stated the United States is the true terrorist. The detainee stated that the United States has captured and imprisoned free men only because they are Muslims, and that the United States is a country full of thieves and liars. The detainee stated that the United States is not after Usama bin Laden, but rather the complete destruction of Islam.
- 6) It was reported that the detainee was a suicide bomber and that the detainee trained in Afghanistan, and loves Usama bin Laden. Reportedly, the detainee is willing to harm forces of the United States and its Allies.

b) Connections/Associations

- 1) The detainee's name and other information were found on a document listing over 300 Arabic names, aliases and nationalities. The document was recovered from safe house raids associated with suspected al Qaida in Karachi, Pakistan.

c) Training

- 1) Reportedly, the detainee was at al Farouq Training Camp in Kandahar, Afghanistan, sometime between late July and mid September 2001.
 - a. Reportedly, al Farouq training camp became the sole facility for basic training of non-Afghanis. The training encompassed eight to ten weeks of intense instruction covering weapons familiarization, commando tactics, topography, and explosives.

d) Intent

- 1) Reportedly, the detainee was at Tora Bora.
- 2) Reportedly, the detainee is a jihadist and carried or operated a bika weapon.

e) Other Relevant Data

- 1) The detainee stated he decided to go to Afghanistan to get a job at a mosque as it was a good thing to do as a Muslim. The detainee stated he planned to stay there for two or three months and then return home.
- 2) The detainee traveled to Afghanistan with a falsified passport issued in Ta'iz, Yemen in 2001.
- 3) The detainee stated he had lost his passport while traveling from Kandahar, Afghanistan, to Jalalabad, Afghanistan. The detainee stated that the last location where he knew he had the bag containing his passport was at a mosque in Kandahar. The detainee stated while at the mosque, the Americans began bombing and everyone fled.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF SALIH, ABD ALRAZAQ MUHAMMED

- 4) The detainee stated that when he got near the border, some Arabs told him that Arabic people were being arrested at the border and put in jail. The detainee stated he decided to go to Jalalabad, Afghanistan, to try and cross the border there.
- 5) The detainee stated he crossed the Pakistan border where he turned himself over to the Pakistani forces.
- 6) The detainee stated he wanted to return home to Yemen, but was unable to and was captured in Pakistan, crossing the border.

4. Factors Favoring Release or Transfer:

- a) The detainee stated he did not have any knowledge relating in any way to the conflict in Afghanistan, the Taliban, or any terrorist organizations.
- b) The detainee stated that a Sheikh said it was forbidden to fight for the Taliban, so the detainee never had a weapon and never joined in the fighting. The detainee stated he wasn't brave enough to carry a weapon or fight.
- c) The detainee stated he doesn't like violence and was not fighting in Afghanistan, but was seeking a job teaching in a mosque.
- d) The detainee stated he stayed in two mosques while living in Kandahar, Afghanistan, for two months. The detainee provided no details regarding his activities while staying in Kandahar other than to say his intention was to teach the Koran to the Afghan people because the detainee saw teaching the Koran as a noble act.
- e) The detainee stated he had no al Qaida or Taliban connections and stated he has never seen Usama bin Laden or Mullah Omar. The detainee further stated there was no significance to the wristwatch taken from him when he was captured and stated he did not know any pertinent names or telephone numbers of contacts relating to al Qaida.
- f) The detainee stated he had no knowledge of the attacks in the United States prior to their execution on September 11th and he also stated he had no knowledge of any rumors or plans of future attacks on the United States or United States interests.
- g) The detainee stated he had no knowledge of the 11 September 2001 attack on the World Trade Center or of perpetrators of the bombing of the USS Cole. The detainee stated the perpetrators in the 11 September 2001 World Trade Center attack are the biggest criminals.
- h) The detainee stated he was in Kandahar, Afghanistan, when he heard about the 11 September 2001 terrorist attacks in the United States. The detainee stated that the

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF SALIH, ABD ALRAZAQ MUHAMMED

September 2001 attack wasn't his fight and decided it was time to leave Afghanistan.

- i) The detainee stated that if released, he would like to return to his place of birth, located in Haja, Yemen, and would return to his family's farm.
- j) The detainee stated he was not a fighter and did not ever fight against the United States.
- k) The detainee stated al Qaida poses the greatest threat to world security and subsequently stated he would try to be more cooperative in the future.
- l) The detainee stated he is neither affiliated with the Taliban or al Qaida. The detainee further stated he has never attended or received training at al Farouk camp.
- m) The detainee stated the only reason he was captured was because corrupt Pakistanis wanted to sell him to the Americans.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC *18 6/27/08*

SUBJECT: ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO SAID AHMAD JMUHAMMAD ABDULLAH, ISN 235 (YEMEN)

o Subject ARB was held on 28 May 08 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)

o Agency assessments follow:

DASD-DA	(b)(1),(b)(5)
CIA	
FBI	

o The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: (b)(1),(b)(5)
 (b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *[Signature]* *7-7-08*
 Or Transfer _____ Release _____

Attachments:

- Tab A OARDEC ASJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

**(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE
REVIEW BOARD DECISION FOR ISN 235**

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

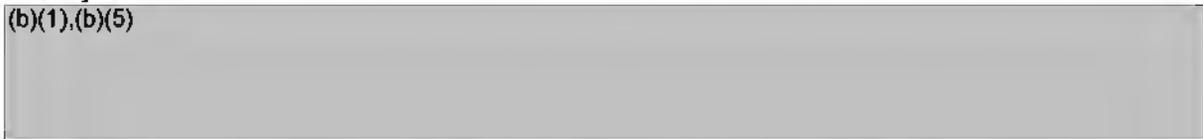
a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee understood the process.

(b)(1),(b)(5)



f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

(b)(5)



(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)



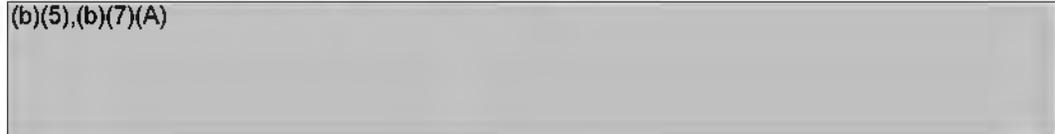
(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



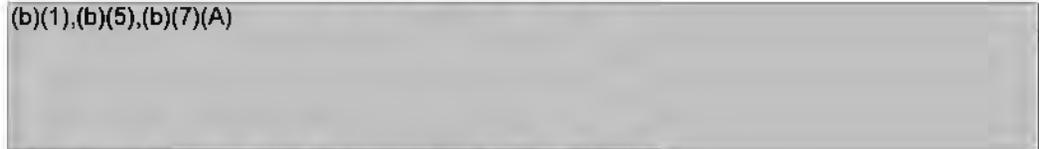
(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)



(4) (U) Criminal Investigation Task Force (CITF)

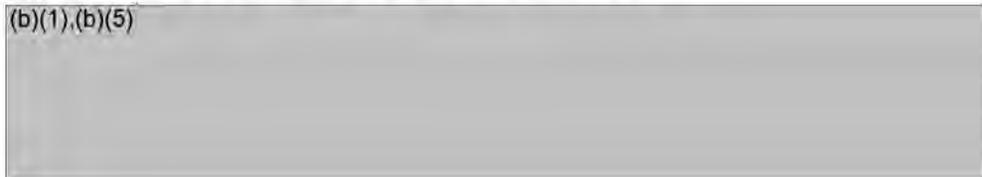
(b)(1),(b)(5),(b)(7)(A)



a
of

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)



(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) **Third Party / Home Country Statements**

(b)(5)

5. (U) **Consultations with the Administrative Review Board Legal Advisor**

(b)(5)

6. (U) **Additional Information**

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

7. (U) **Conclusions and Recommendation of the Administrative Review Board**

(b)(1),(b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

b. ~~(S//NF)~~ Intelligence Value.

(b)(1),(b)(5)

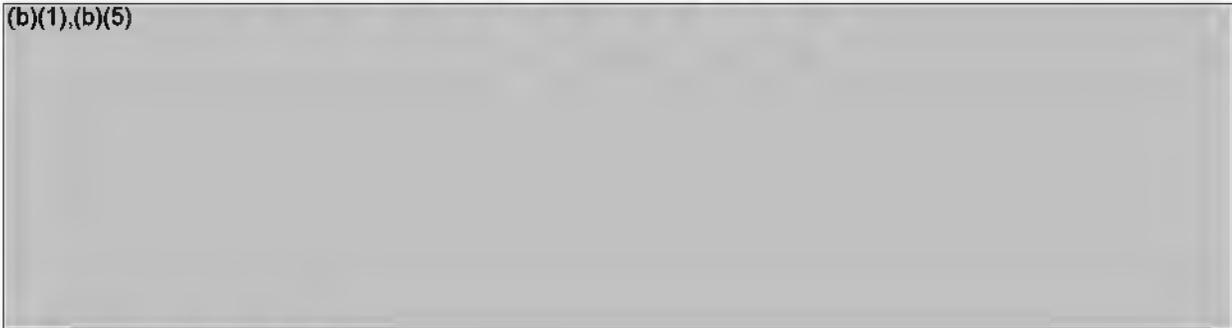
(b)(1),(b)(5)

(b)(1),(b)(5)

c. (U) Detainee Treatment Act Consideration.

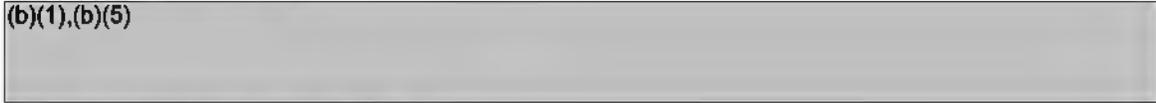
(b)(1),(b)(5)

(b)(1),(b)(5)



d. (U) Recommendation.

(b)(1),(b)(5)

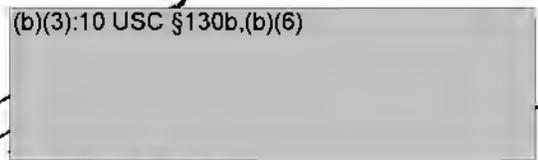


8. (U) Board Members' Voting Results

(b)(5)



(b)(3):10 USC §130b,(b)(6)



Captain, U.S. Navy
Presiding Officer

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

20 May 2008

TO: ABDULLAH, SAID AHMAD JMUHAMMAD

SUBJECT: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF ABDULLAH, SAID AHMAD
JMUHAMMAD

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.

2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.

3. The following primary factors favor continued detention:

a) Commitment

1. The detainee cited the Koran, (i.e. his desire to help alleviate the hunger and suffering in Afghanistan) and the possibility of expanding his gold business as motivations for traveling to Afghanistan.
2. The detainee stated that in 1992 he rediscovered religion and became interested in joining the jihad in Chechnya or Kashmir. The detainee stated he consulted a sheikh at the Martyr's Institute. The sheikh encouraged the detainee, but warned him travel to Chechnya may be difficult. The detainee stated he traveled instead to Afghanistan because of the difficulties. The detainee stated he paid the expenses by helping himself to the cash box at his father's jewelry store.
3. The detainee stated he had been in Afghanistan twice. The first trip was in late 2000 where he claimed to have worked with three separate Islamic charities. The second trip was in September or August of 2001.
4. The detainee claimed he made his own travel arrangements. He obtained his Yemeni passport in Yemen and obtained a visa for Iran at the Iranian Embassy. The detainee flew from Yemen, via Dubai, United Arab Emirates, to Tehran, Iran. After seven to ten days, he continued to Mashhad, Iran by bus.

ISN 235
DMO Exhibit 1
Page 1 of 5

UNCLASSIFIED

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**SUBJECT: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF ABDULLAH, SAID AHMAD
JMUHAMMAD**

5. The detainee stated he traveled via Iran to Herat then Kandahar, Afghanistan in late 2001. The detainee stated he stayed at a guest house for Chechen jihadists.
6. The detainee stated an individual took his passport for safe keeping.
7. The detainee stated that while he was at Abu Ubayda Camp, he wished to return, but was caught up in the post 11 September events. The detainee stated the border was closed by the Taliban, so he went to Kabul, Afghanistan and stayed for approximately six weeks at a guest house.
8. The detainee stated he stayed for three weeks to one month at a guest house in Kabul.
9. The detainee stated that in early November he was sent to Jalalabad, Afghanistan.
10. The detainee was identified as being at Tora Bora. The detainee was part of the Talud Group which traveled from Tora Bora down the right side of the valley toward Pakistan. The detainee was a fighter on the front lines against the Northern Alliance.
11. The detainee was identified as a machine gunner at Tora Bora.

b) Connections/Associations

1. The detainee was reportedly a Yemeni al Qaida member who traveled from Yemen to Afghanistan.
2. The detainee stated that he was in the company of an individual, whom the detainee believes to be a member of al Qaida.
3. The detainee stated the individual from the previous statement (paragraph 3.b2 above) was a leader of a farm outside of Jalalabad, Afghanistan who spoke highly of Usama bin Laden and Mullah Omar and supported al Qaida.
4. The detainee was identified as a bodyguard for Usama bin Laden and associated with a number of al Qaida members. The detainee was identified as a member of al Qaida and he would go back to jihad when he leaves Guantanamo.
5. The detainee was identified as a suicide bomber who had sworn bayat to Usama bin Laden. The detainee was at a guest house during a speech by Usama bin Laden.

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SUBJECT: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF ABDULLAH, SAID AHMAD JMUHAMMAD

6. The detainee was identified as an associate of the assistant emir of a training camp. The assistant emir was a close friend and confidante of Usama bin Laden.
7. The detainee stated he knew an individual from his neighborhood in Sanaa, Yemen. The individual is a Yemen based al Qaida facilitator.
8. The detainee's name was found on a computer file list taken in a raid on a AL Qaida guest house in Pakistan. The file was a list of names associated with safety deposit boxes and a description of the contents; such as passports etc.

c) Training

1. The detainee stated he was then sent for one week of light arms training at Abu Ubayda Camp at Kandahar Airport.
 - a. The Tarnak Farms camp (also known as - Abu Ubaida Camp) was known as "Al Matter" (The Airport), as it was located 10 kilometers from an airport. No one was allowed to train at Tarnak Farms without first passing through basic training at al Farouq camp. Tarnak Farms was considered the most important al Qaida training camp in Afghanistan since it was where al Qaida operatives received advanced operational training including urban assault and other tactics.
2. The detainee was identified as receiving full training from Camp Farouq, including: arms training (pistol, Kalashnikov, Bika, and hand grenades), a 25 kilometer march, fighting techniques, and explosives.
3. The detainee stated he stayed for two weeks in Jalalabad with an individual who talked him into receiving weapons training. The detainee stated he received three days training on the Kalashnikov rifle while attending the Abu Abaida camp.

d) Intent

1. The detainee stated he had the right to defend himself against invaders, even the United States, if attacked.
2. The detainee stated he believed America was at war with Islam.

e) Other Relevant Data

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SUBJECT: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF ABDULLAH, SAID AHMAD JMUHAMMAD

1. The detainee stated he stayed with an individual in Jalalabad, Afghanistan for one week. When Kabul fell, the detainee and the individual traveled six hours to the individual's village house where they stayed for one month. The detainee stated he wanted to continue his journey to the Yemeni Embassy in Islamabad, Pakistan, so he and the individual left sometime in November 2001 to a place called Shetlar. The detainee stated he was arrested by Pakistani Police at a border checkpoint in the middle of the month of Ramadan.

4. The following primary factors favor release or transfer:

1. The detainee stated his trip to Afghanistan was to go to the Chechnya border to help refugees. The detainee stated his passport was lost in Afghanistan. The detainee also denied knowing individuals linked to al Qaida.
2. The detainee denied having any knowledge of the attacks in the United States prior to their execution on September 11th, and also denied knowledge of any rumors or plans of future attacks on the United States or United States interests.
3. The detainee stated that he believes innocent individuals were killed during the bombing attacks in New York on September 11, 2001 and that the Americans need to locate those responsible for the attacks and punish them.
4. The detainee stated all of the information he provided when he was initially captured were lies, and his interrogators made him provide that information.
5. The detainee stated he was asked to join a group, but the detainee declined.
6. The detainee stated that if he were released, he would like to return to Sanaa, Yemen and pursue a career as either a livestock or jewelry trader.
7. The detainee stated he believes the attacks of September 11th were wrong, and also that Usama bin Laden and al Qaida are not adhering to the true Islamic faith. The detainee stressed the only reason he traveled to Afghanistan in the first place, was to teach the Koran. Once he learned people from Abu Obaida were instructing others on how to fire a Kalashnikov, he thought it would be very interesting to learn. The detainee explained it is a duty for a Muslim to be knowledgeable regarding how to defend one's self, and consequently, he considered the training to be a good opportunity.

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**SUBJECT: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF ABDULLAH, SAID AHMAD
JMUHAMMAD**

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

UNCLASSIFIED



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

SECRET//NOFORN
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC *15 4/14/08*

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION**
ICO ISN 240 (Yemen)

o Subject ARB was held on 29 Feb 08 resulting in a (b)(1),(b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1),(b)(5)

o Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	
FBI	

o The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: (b)(1),(b)(5)

(b)(1),(b)(5) (Detain) *[Signature]*
 Or Transfer _____ Release _____

Attachments:

- Tab A OARDEC ASJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

SECRET//NOFORN

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR
ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 240

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings. The AMO verbally summarized comments the EC made during the AMO's interview and provided an oral statement made by the EC to the AMO during the interview. This statement is documented in Exhibit EC-B.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC appeared to understand the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 3 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7):

(1) (U) Deputy Assistant Secretary of Defense for EC Affairs (DASD-DA)

(b)(1),(b)(5)

(2)(U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)

(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)

(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

(b)(5)

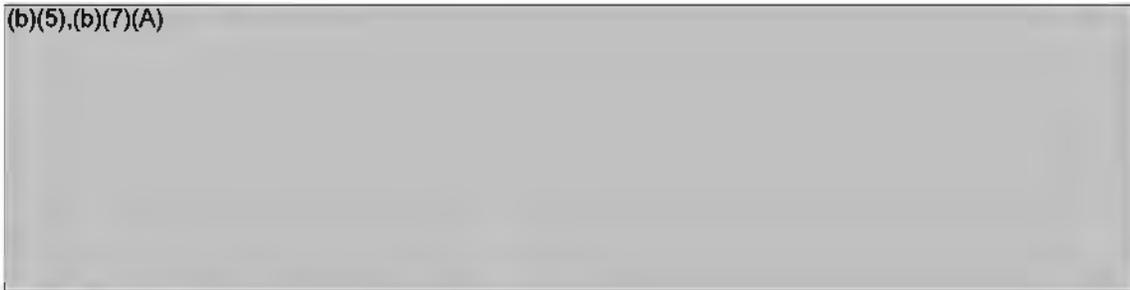
4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(b)(5)



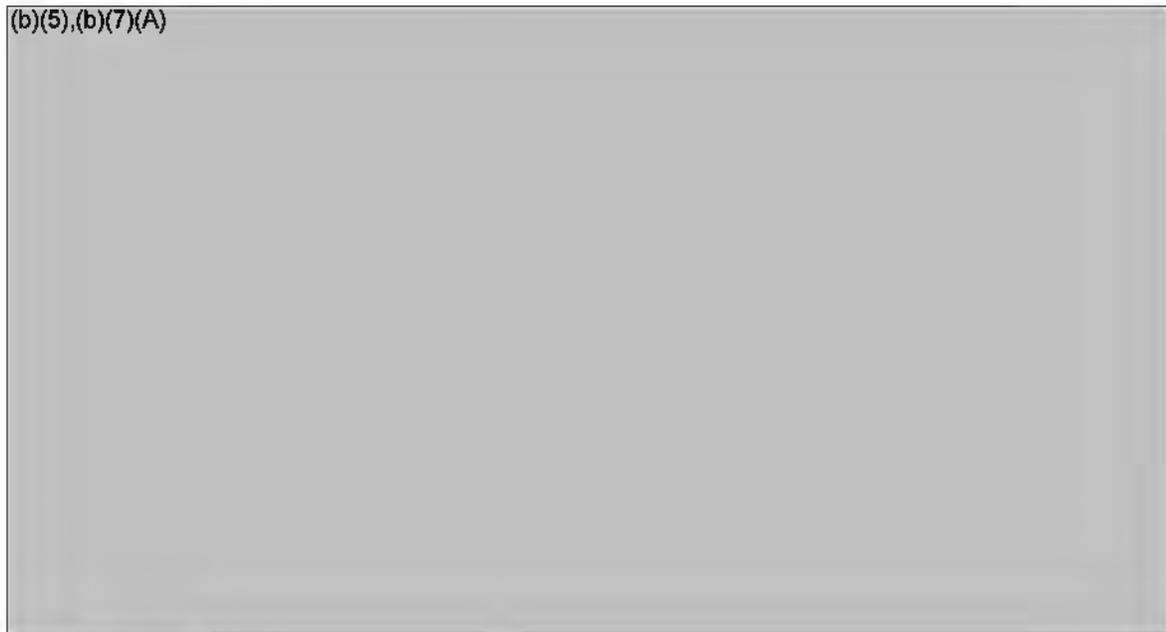
a. (U) Recruitment

(b)(5),(b)(7)(A)



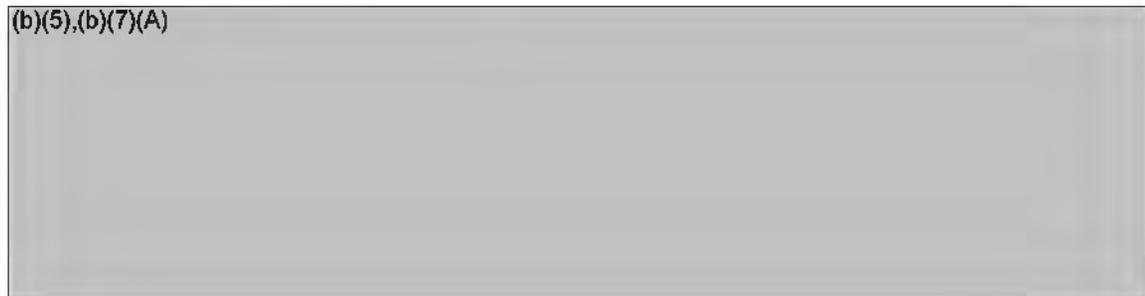
b. (U) Travel

(b)(5),(b)(7)(A)

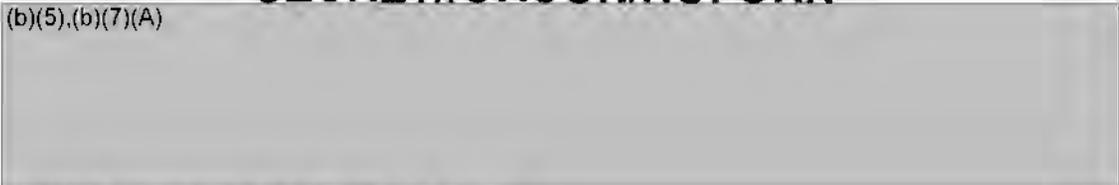


c. (U) Training

(b)(5),(b)(7)(A)

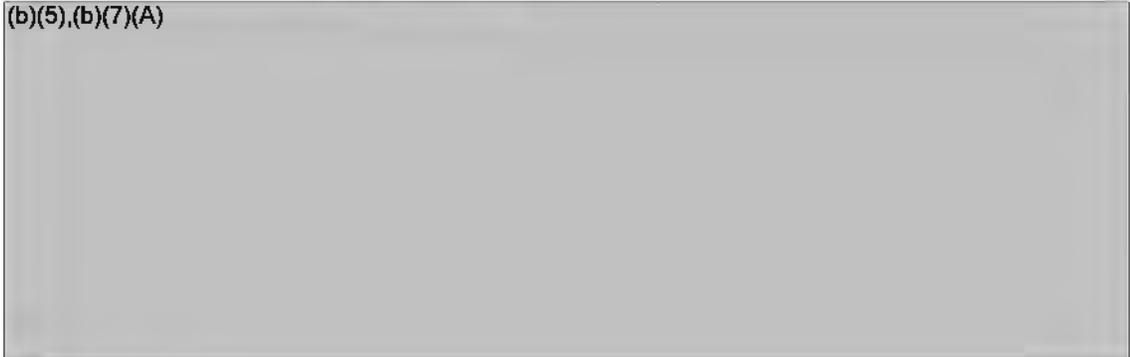


(b)(5),(b)(7)(A)

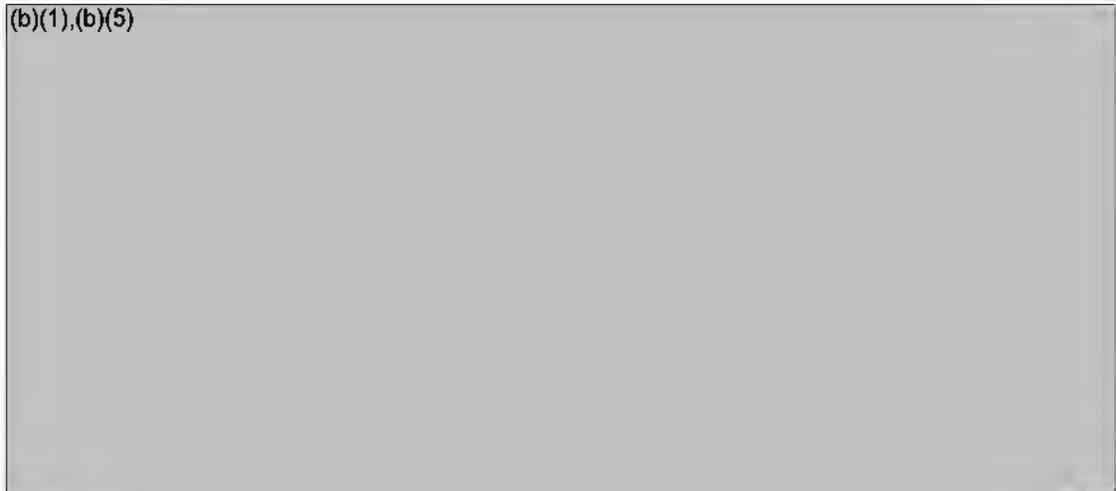


d. (U) Operations, Combat and Capture

(b)(5),(b)(7)(A)



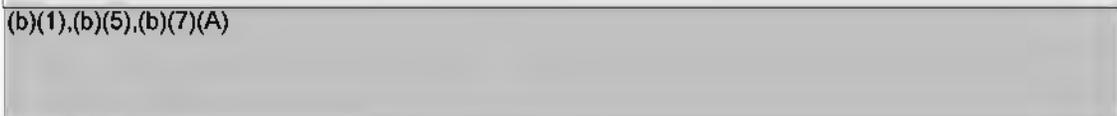
(b)(1),(b)(5)



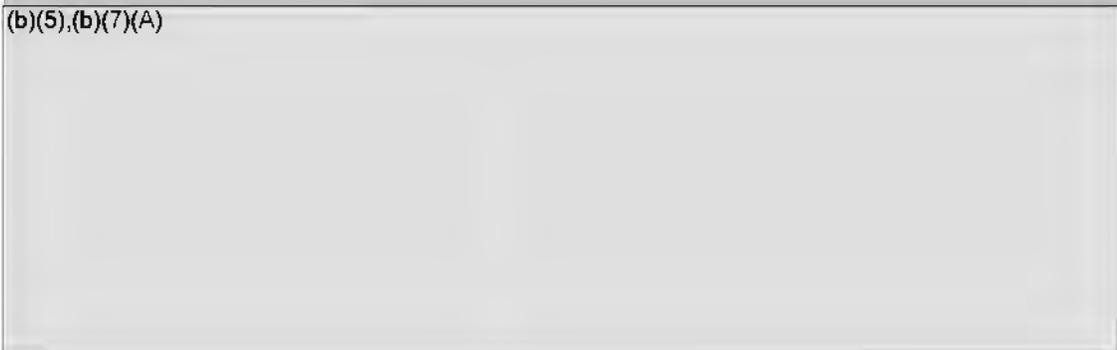
(b)(5),(b)(7)(A)



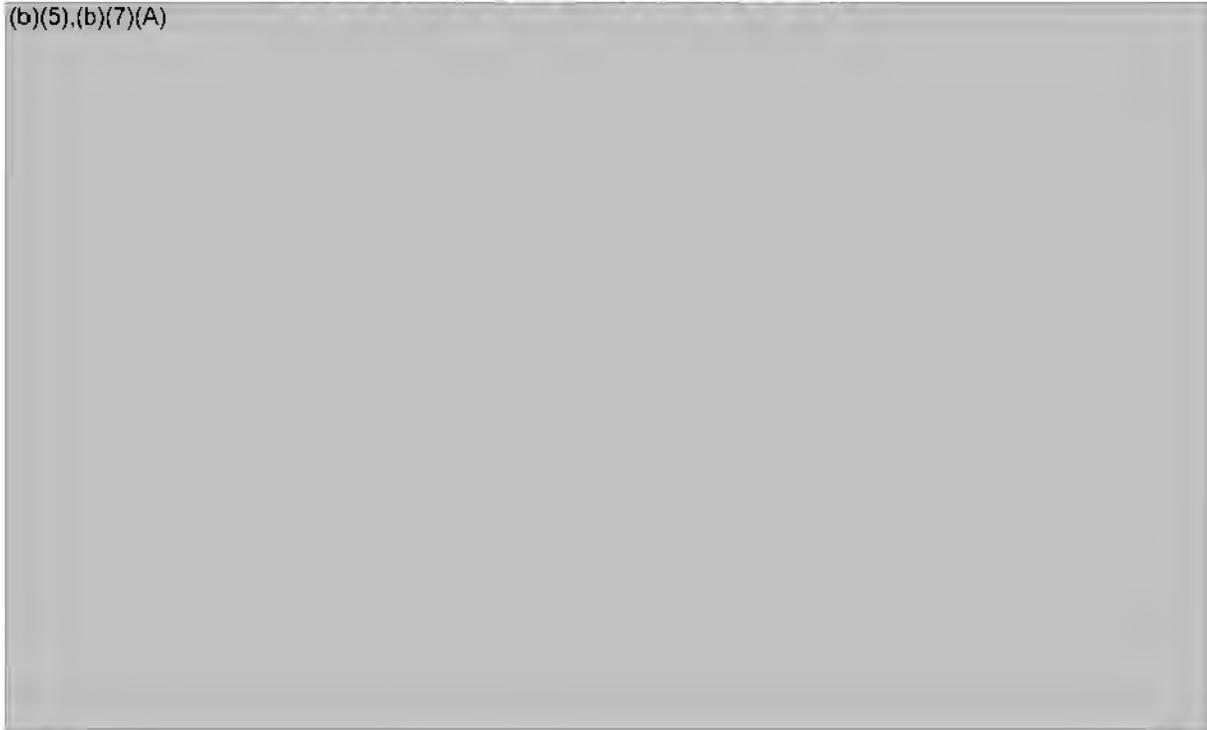
(b)(1),(b)(5),(b)(7)(A)



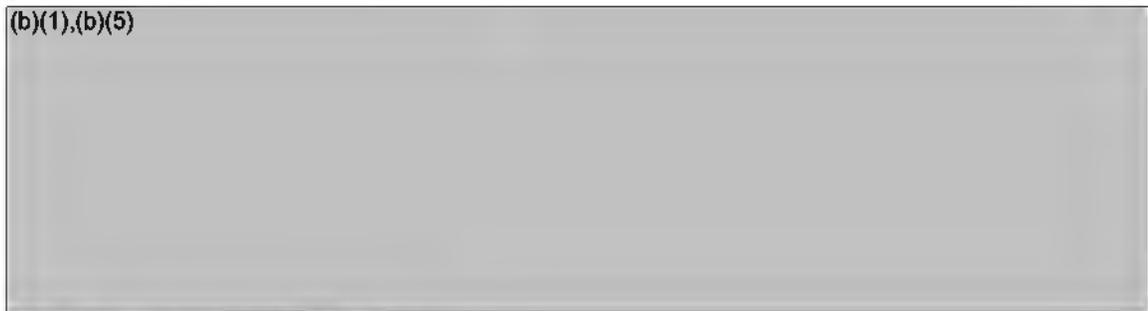
(b)(5),(b)(7)(A)



(b)(5).(b)(7)(A)

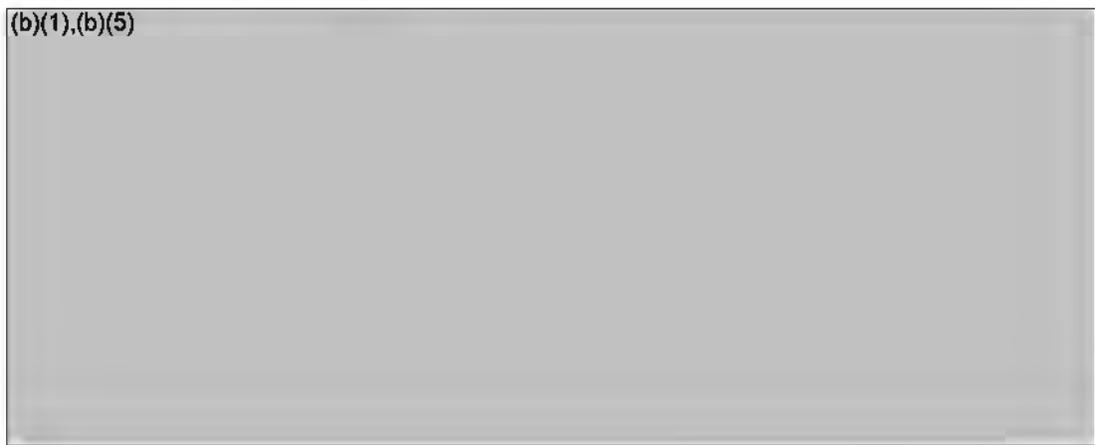


(b)(1),(b)(5)



e. (U) Organizational Affiliations

(b)(1),(b)(5)



f. (U) Individual Affiliations

(b)(5),(b)(7)(A)

g. (U) Behavior

(b)(5)

h. (U) Other Information

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

i. (U) Factors in Support of Release

(b)(5),(b)(7)(A)

(b)(1),(b)(5)

5. (U) Third Party / Home Country Statements

(b)(5)

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level.**
following factors:

(b)(1),(b)(5)

b. ~~(S//NF)~~ **Intelligence Value.**

(b)(1),(b)(5)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.**

(b)(1),(b)(5)

(b)(1),(b)(5)

d. ~~(S//NF)~~ **Recommendation.**

(b)(1),(b)(5)

8. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

Presiding Officer

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

07 February 2008

To: YAHIA, ABDULLAH

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AL SHIBLI, ABDALLAH YAHYA YUSIF

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) Commitment
 - 1) The detainee stated that after completing his degree, he sold honey in order to raise enough money to begin working on his master's degree. The detainee stated that one of his customers introduced the detainee to a Mujahedin fighter who had fought in Chechnya and Afghanistan. The detainee stated the Mujahedin fighter gave him cash and airline tickets worth approximately 1,000 United States Dollars to travel to Afghanistan. The detainee stated he was to receive three months of training at the al Farouq Training Camp, Kandahar, Afghanistan.
 - 2) The detainee stated the Mujahedin fighter the detainee met who had fought in Chechnya and Afghanistan provided him with a false Yemeni passport along with travel funds, tickets, and addresses for guest houses in Afghanistan.
 - 3) The detainee stated that in August 2001, he flew from Sanaa, Yemen to Tehran, Iran, where he spent one to two days. The detainee stated he then took a bus to Tayyebat, Iran, via Mashhad, Iran. The detainee stated he took a taxi from Tayyebat to the border.
 - 4) The detainee stated he walked to the border and crossed into Afghanistan. The detainee stated he took a taxi to Herat, Afghanistan, where he met up with an Afghan who led the detainee to an Arab house and stayed there for one day. The detainee stated he took a

ISN 240
DMO Exhibit 1
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UNCLASSIFIED

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL SHIBLI, ABDALLAH YAHYA YUSIF

taxi to the al Zubair al Haiely house in Kandahar and remained there for one week. The detainee stated he estimated about half of the residents were in Afghanistan to participate in jihad.

- 5) Zubyr Al-Haili was identified as being the leading facilitator for al Qaida and other Mujahedin coming into Afghanistan and also operated a guest house in Kandahar, Afghanistan.

b) Training

- 1) The detainee stated he left the safe house and traveled to the al Farouq Camp. The detainee stated his first week of training included instruction on the Kalashnikov, the rocket propelled grenade launcher, and the Simonov. The detainee stated the 11 September 2001 attacks on the United States occurred during his first week in training. The detainee stated he became ill from the weather, food and water during his second week of training and had to return to the al Zubair al Hailey house in Kandahar to recuperate.
- 2) The detainee was identified as having received basic and technical training at the al Farouq camp.
- 3) The detainee stated that after recovering from his illness he traveled to Kabul, Afghanistan, by taxi where he remained for approximately one week. The detainee stated he then went to Malek Center, located approximately 15 or 20 minutes from Kabul.
- 4) The detainee stated he received training on the use of anti-aircraft artillery and rocket propelled grenade training while at the Malek Center during an approximate one month period.

c) Connections/Associations

- 1) The detainee's name was among the 324 names listed on a document recovered from a safe house raid associated with suspected al Qaida in Pakistan.
- 2) The detainee stated he had seen Usama bin Laden once in the Tora Bora region of Afghanistan.

d) Other Relevant Data

- 1) When the bombing of Kabul, Afghanistan began, the detainee stated he headed for Jalalabad, Afghanistan, in order to be closer to the Pakistan border and facilitate an escape from Afghanistan. The detainee stated he planned to enter Pakistan, go to the

UNCLASSIFIED

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL SHIBLI, ABDALLAH YAHYA YUSIF

Iranian Embassy, and obtain a visa to re-enter Iran and return home.

- 2) The detainee stated that when he arrived in Jalalabad, Afghanistan, he stayed at the "Garden" that was located outside of the city. The detainee stated he remained there approximately three weeks and was advised that the Pakistan border was closed.
 - 3) The detainee stated that when the bombing of Jalalabad, Afghanistan began, he was told to go into the mountains on the Afghan/Pakistan border for protection. The detainee stated he was in a convoy that included three or four vehicles and about twenty people.
 - 4) The detainee stated that sometime around the last night of Ramadan, the detainee was told that they would be going into Pakistan. The detainee stated his group joined up with others to create a force of sixty-two people.
 - 5) The detainee stated that as they exited the mountains and entered a narrow valley to meet a guide, they came under attack from low flying aircraft and large bombers. The detainee stated the bombs killed many in the group. The detainee stated that when the bombing slowed down, he attempted to re-enter the mountains but the bombing started again and lasted through the night.
 - 6) The detainee stated he and two or three other members of his group met two Afghans who took them to a horse stable and later moved them into the Afghans' house. The detainee stated Afghan authorities arrived at the house during the evening and took the fighters into custody.
 - 7) The detainee was a member of Usama bin Laden's security detail.
 - 8) The detainee was identified as having been at Tora Bora, Afghanistan.
4. The following primary factors favor release or transfer:
- a) The detainee stated he had no intention to fight the Northern Alliance or the United States. The detainee stated there is no reason for him to fight the United States since Yemen and the United States have good relations. The detainee stated he is willing to tell the authorities if he hears anything about an uprising.
 - b) The detainee denied having any knowledge of the attacks in the United States prior to their execution on 11 September 2001, and denied knowledge of any rumors or plans of future attacks on the United States or United States interests.

UNCLASSIFIED

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL SHIBLI, ABDALLAH YAHYA YUSIF

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

UNCLASSIFIED



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC *15⁵/27/08*

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION**
ICO ISN 255 (YEMEN)

o Subject ARB was held on 26 March 2008 resulting in a (b)(1), (b)(5) recommendation to (b)(1),(b)(5) based on the following:

- Threat Assessment: (b)(1),(b)(5)
- Intelligence Value: (b)(1),(b)(5)
- Other Factors: (b)(1),(b)(5)

o Intelligence inputs used in the ARB's determination of this EC's case include:

- EC received training at al Farouq camp and stayed in AQ guest houses;
- ED may have information on AQ safe houses, Saudi Center operations, and al Wafa operations;
- EC has been mostly compliant and rarely hostile in detention.

o Agency assessments follow:

DASD-DA	(b)(1),(b)(5)
CIA	(b)(1),(b)(5)
FBI	(b)(1),(b)(5)

o The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: (b)(1),(b)(5)
 (b)(1),(b)(5)

(b)(1), (b)(5) (Transfer) _____
 Or Detain *[Signature]* Release _____

Attachments: *6-9-08*
 Tab A OARDEC ASJA Legal Sufficiency Review
 Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

SECRET//ORCON/NOFORN

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 255

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

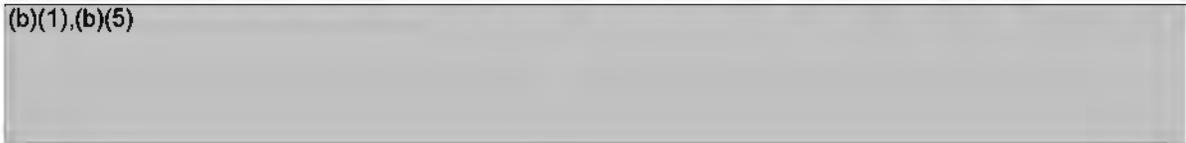
a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1),(b)(5)



f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 3 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7):

(1) (U) **Deputy Assistant Secretary of Defense for EC Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant).

(b)(5),(b)(7)(A)
(b)(5),(b)(7)(A)
(b)(1),(b)(5),(b)(7)(A)
(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

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(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

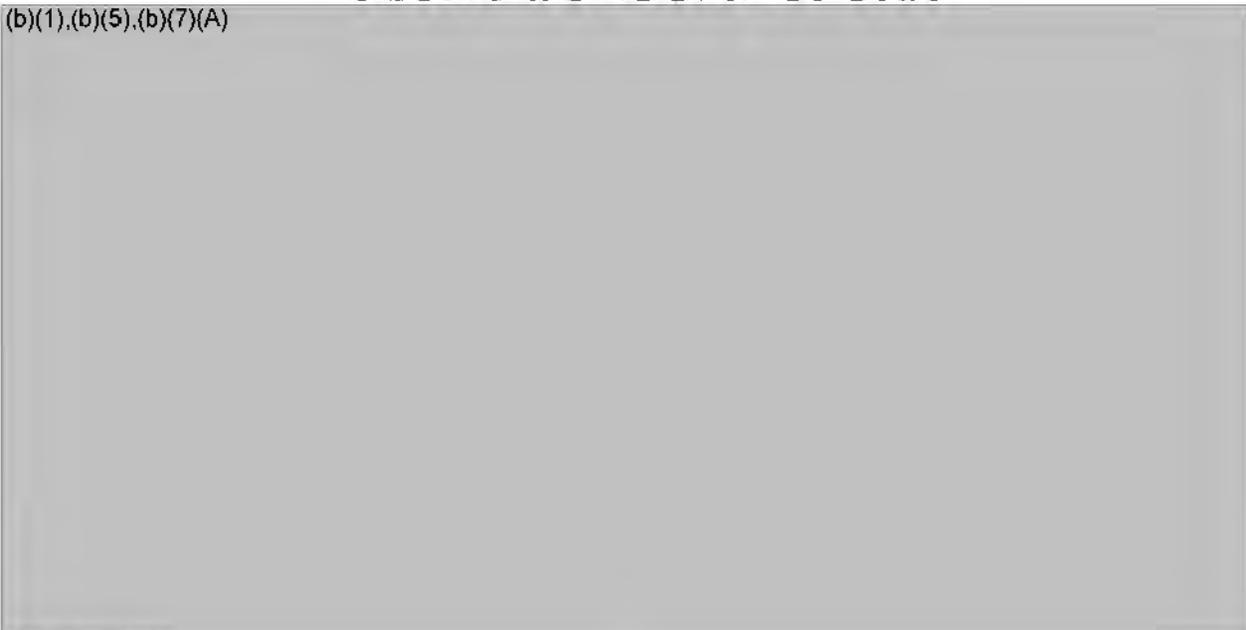
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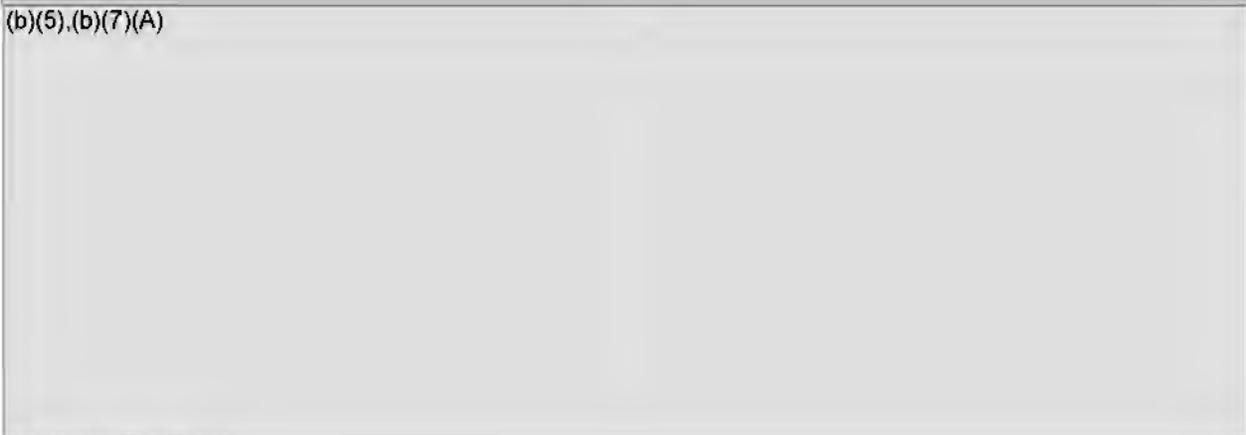
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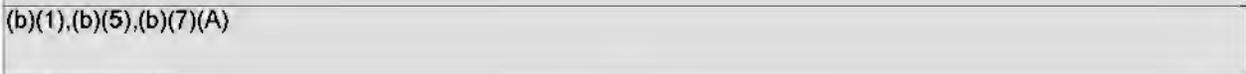
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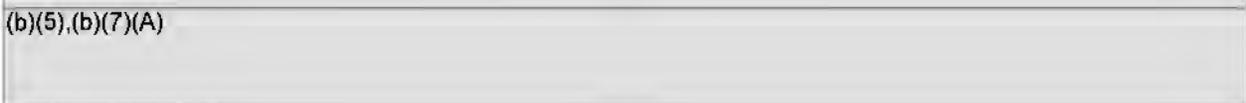
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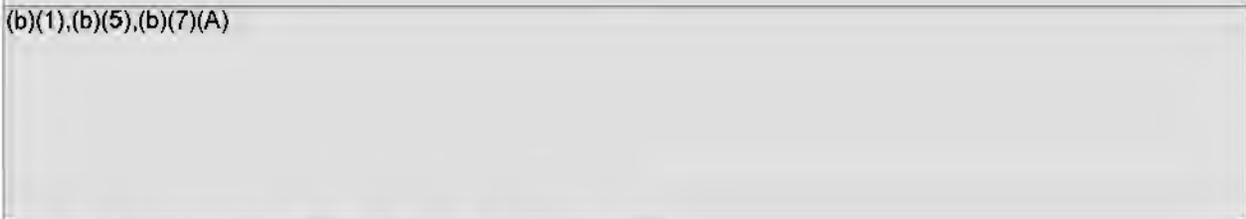
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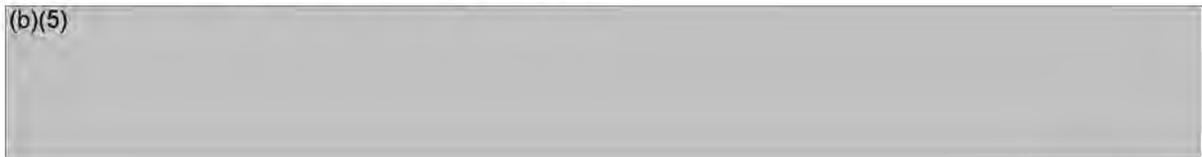


(b)(1),(b)(5),(b)(7)(A)



5. (U) Third Party / Home Country Statements

(b)(5)



6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S/NF)~~ Threat Level.

(b)(1),(b)(5)

b. ~~(S/NF)~~ Intelligence Value.

(b)(1),(b)(5)

c. ~~(S/NF)~~ EC Treatment Act Consideration.

(b)(1),(b)(5)

d. ~~(S/NF)~~ Recommendation.

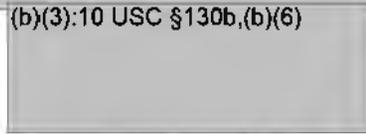
(b)(1),(b)(5)

8. (U) Board Members' Voting Results

(b)(5)



(b)(3):10 USC §130b,(b)(6)



Colonel, U.S. Air Force
Presiding Officer

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

12 March 2008

To: HATIM, SAID MUHAMMED SALIH

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF HATIM, SAID MUHAMMED SALIH

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a. Commitment
 1. The detainee stated he became interested in Russia's war in Chechnya because he witnessed the oppression on the television. The detainee stated he was outraged about what the Russians were doing to the Chechens. The detainee decided to travel there to fight jihad alongside his Muslim brothers.
 2. The detainee stated that he informed his family of his decision to go to Chechnya and that they refused to provide financial assistance. The detainee then spoke with several of his friends and members of his mosque, who agreed to help him raise money for the trip.
 3. The detainee stated that a friend and fellow member of the mosque in Ibb, Yemen was instrumental in helping the detainee raise money for his trip. The detainee's friend made speeches and talked to others about the detainee's trip and eventually raised 250 United States Dollars for the detainee. The detainee stated that the largest single contributor to his trip money was another individual who gave him 20,000 Yemeni riyals.
 4. The detainee stated that he planned on traveling through Afghanistan for two reasons. One was that Afghanistan, namely the Taliban, offered freedom of movement and no hassles to those intending to participate in jihad. The second reason was that Afghanistan was the closest place/route to reach his intended target.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF HATIM, SAID MUHAMMAD SALIH

5. The detainee stated he traveled by Air Yemeni to Karachi, Pakistan, enroute to Quetta, Pakistan.
6. The detainee stated he stayed at the MBC Hotel in Karachi, Pakistan, while awaiting transportation to cross the border to Afghanistan.
7. The MBC Hotel in Pakistan has been reportedly assisting fighters traveling between Saudi Arabia and Afghanistan and Pakistan.
8. The detainee stated he remembers paying approximately 500 to 600 Pakistan rupees for bus fare to Quetta, Pakistan. The detainee stayed at the Taliban House in Quetta, Pakistan, for approximately one to two days. The detainee recalled this was a special place for students, but he received no briefings about jihad and did not see any weapons at the house. The detainee stated he saw mostly Afghans at the house.
9. The detainee stated he crossed into Afghanistan without being confronted by any border control.
10. The detainee stated he traveled to Kandahar, Afghanistan, and stayed at the Haja House for approximately one week. The detainee stated he used this time to understand what it was they were asking him to do; for example, to fight jihad. The detainee stated he believed there were approximately 10 to 15 others staying at the house during that particular week.
11. Al Qaida maintained a safe house in Kandahar, Afghanistan, near the Haji Habash Mosque. Arabs who came to Kandahar for military training at the al Farouq training camp, operated by al Qaida, used this house.
12. The detainee stated that he hired a taxi to drive him to Kabul, Afghanistan. The detainee stated that there was no fighting in the city of Kabul when he arrived in 2001. He stated that the fighting was many miles away.
13. The detainee stated that the first Arab house he stayed at in Kabul, Afghanistan, was the Carte Birwan guest house operated by a Saudi Arabian male. Two armed guards protected the house. The detainee stayed at the guest house for approximately forty days.
14. A guest house located on Karti Barwan Street in Kandahar, Afghanistan was known to conduct a three day course on the manufacture of explosives timers made out of Casio watches.

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15. The detainee stated that the next Arab house located in Kabul, Afghanistan, which the detainee stayed at, was called Gholam Batcha. The detainee stayed there for one month.
16. The Ghulam Bacha guest house in Kabul, Afghanistan, was identified as one of four safe houses owned by al Qaida and operated by a senior al Qaida member. The guest house was also identified as being used by al Qaida members from Saudi Arabia, Yemen, Iraq, and Libya.
17. The detainee mentioned that he stayed at the Hamza al Gatee guest house in the Wazir Akbar Khan area of Kabul, Afghanistan, from June/July 2001 to early November 2001.
18. There were two main guest houses in Kabul, Afghanistan, which al Qaida used for meetings and as staging areas; one was run by Hamza al Qaiti.
19. The detainee stated that as a newcomer he was not allowed on the front lines to fight. The detainee added that all new comers must be evaluated first. Instead, the detainee stayed in a small village in the rear of the Bagram, Afghanistan line. For his efforts, the detainee received 500 to 1000 rupees in an envelope. This envelope had the detainee's name on it and instructions to hand deliver it to the detainee. The detainee stated that he did not know where the money came from.
20. The detainee stated he was a part of Said Central Station, which he described as a group of 15 Arabs positioned on the Kabul, Afghanistan line.
21. The detainee stated that the Said Central Station was at the rear lines of fighting and was described by the detainee as a place of re-supply for the front lines near Bagram, Afghanistan. The detainee stated that the AK-47 was for his protection and he did not take part in the fighting. The detainee stressed that he only brought food to the front line Taliban fighters, never weapons, ammunition or clothing.
22. The Said Center is described as a supply point outside of Kabul, Afghanistan that serviced the front lines. The house could accommodate eight people comfortably; however, as many as twenty and as few as three were known to occupy the house at any given time.
23. The detainee was reportedly a Yemeni al Qaida member.
24. The detainee reportedly worked for al Wafa and remained at al Wafa's offices until they were bombed.
25. Al Wafa has been placed on the Terrorist Exclusion List. Those groups placed on the Terrorist Exclusion List have met the following designation criteria: commits or incites

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF HATIM, SAID MUHAMMAD SALIH

to commit, under circumstances indicating an intention to cause death or seriously bodily injury, a terrorist activity; prepares or plans a terrorist activity; gathers information on potential targets for terrorist activity; or provides material support to further terrorist activity.

b. Training

1. The detainee stated he served in the Yemeni National Service/National Guard in 1994 and 1995. The detainee was trained at the Elem Military Camp as a policeman for the military.
2. The detainee stated he went to Afghanistan to obtain training at the al Farouq training camp, Kandahar, Afghanistan, before going to Chechnya. The detainee did not know what to expect at the al Farouq training camp. The detainee wanted to refine his shooting skills at the camp and possibly learn to shoot a rocket propelled grenade launcher.
3. The detainee stated that while in Kandahar, Afghanistan, he actively sought how to get to the al Farouq training camp, Kandahar, Afghanistan.
4. Al Farouq was a known training camp. The four-phase training program included small arms training, physical training, map reading, topography and explosive device training.
5. The detainee stated he left for the al Farouq training camp in Kandahar, Afghanistan, after staying at the Haja House in Kandahar for one week. The detainee carried his luggage over the mountain and walked for approximately 30 minutes in order to get to the al Farouq training camp. The detainee checked in at the office and surrendered his passport and money, placing it into an envelope, and giving it to a man at the front desk.
6. After checking in at the office, the detainee stated he went to the mosque and prayed with approximately thirty others. He reported to an area with approximately four or five tents to sleep for the night. The detainee stated the camp was divided into training areas and he was placed in the all Arab group. The detainee stayed at the camp for approximately three weeks, but did not realize it was an al Qaida camp until close to the end of his training time.
7. The detainee stated he was trained at al Farouq to use Kalashnikov rifle, rocket-propelled grenade and pistol.
8. The detainee stated he left al Farouq training camp early because it was not what he expected. To get out early, the detainee faked a fever telling the people he was ill and

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF HATIM, SAID MUHAMMAD SALIH

needed to seek medical care. The detainee stated that he wanted to leave earlier, but could not think of a good excuse.

9. The detainee packed up his belongings (backpack, passport, and 200 United States Dollars) and left for Kandahar, Afghanistan. The detainee was driven from al Farouq by car to Kandahar. The trip to Kandahar took approximately three hours.

c. Connections/Associations

1. The detainee stated that Usama bin Laden possibly visited the camp once during the detainee's training cycle. The detainee stated that he believed Usama bin Laden had a house located near the camp, however Usama bin Laden did not visit the guest house when the detainee was staying there.
2. The detainee's name appeared on a list of al Qaida Mujahedin and the contents of their trust accounts were found on files seized during raids against al Qaida associated safe houses in Pakistan.

d. Other Relevant Data

1. After approximately three weeks at Said Central Station, the detainee went back to Kabul, Afghanistan. The detainee traveled to Jalalabad, Afghanistan, once the bombing of Kabul began. The detainee was directed to the home of another Arab in Jalalabad who would take the detainee to Pakistan. The detainee stayed one day in Jalalabad then took a cab with some Pakistani's to the Pakistan border. The Pakistani's instructed the detainee not to talk to anyone so that no one would think he was an Arab.
 2. The detainee was identified as having traveled from the front lines of Bagram, Afghanistan to Tora Bora, Afghanistan when the Taliban were defeated by the Northern Alliance. The detainee was identified as having worked with heavy weapons on the front lines. The detainee was identified as having been on the bus that overpowered and killed their Pakistani guards and escaped.
 3. The detainee stated that once he was at the border, an Afghani took the detainee to a Pakistani police station. The detainee was moved to a jail located in Kohad, Pakistan. The detainee stayed in this jail for approximately one month.
 4. On 3 January 2002, the detainee was transferred to United States military custody by Pakistani military and flown from Pakistan to Kandahar, Afghanistan.
4. The following primary factors favor release or transfer:

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF HATIM, SAID MUHAMMAD SALIH

- a. The detainee stated he has been to Afghanistan only one time and did not go to Chechnya.
 - b. The detainee stated he did not want to partake in the war in Afghanistan because it was a civil war in which Muslims were fighting other Muslims.
 - c. While in Kabul, Afghanistan the detainee thought of getting married and finding a job. The detainee also mentioned that he does not know if he ever met people associated with al Qaida.
 - d. The detainee stated he stayed at the Said Central Station near Kabul, Afghanistan, approximately three weeks playing soccer, reading, and riding horses. The detainee stressed that he did not deliver food to the front lines.
 - e. The detainee reports that he was not given any responsibility while he was in Kabul, Afghanistan.
 - f. The detainee stated that if he is allowed to go back to Yemen he would like to go back to college and then become a teacher.
 - g. The detainee denies affiliation to Usama bin Laden and al Qaida.
5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.



Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official (U)

(b)(5)

THRU: Deputy Assistant Secretary of Defense for Detainee Affairs (U) *hjk*

FROM: Director, OARDEC (U) *AS 12/10/08*

SUBJECT: (U) ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION
 ICO ISN 256 (YEMEN)

o ~~(S//NF)~~ Subject ARB was held on 10 Oct 08 resulting in a ~~(b)(1),(b)(5)~~ recommendation to ~~(b)(1),(b)(5)~~ based on the following:

- Threat Assessment: ~~(b)(1),(b)(5)~~
- Intelligence Value: ~~(b)(1),(b)(5)~~
- Other Factors: ~~(b)(1),(b)(5)~~

o ~~(S//NF)~~ Intelligence inputs used in the ARB's determination of this EC's case include:
~~(b)(1),(b)(5)~~

o ~~(S//NF)~~ Agency assessments follow:

DASD-DA	(b)(1),(b)(5),(b)(7)(A)
CIA	(b)(1),(b)(5),(b)(7)(A)
FBI	(b)(1),(b)(5),(b)(7)(A)

o (U) The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

o ~~(S//NF)~~ RECOMMENDATION: ~~(b)(1),(b)(5)~~

~~(b)(1),(b)(5)~~ (Detain) *hjk*
12-30-08
 Or Transfer _____ Release _____

o (U) Attachments:

- Tab A OARDEC DSJA Legal Sufficiency Review
- Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

SECRET//ORCON/NOFORN

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 256

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The detainee declined to attend the ARB, and consequently the Board convened without the detainee being present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the detainee affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the detainee was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the detainee, and the detainee appeared to understand the process.

(b)(1),(b)(5)



f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, any new evidence that became available relating to the enemy combatant status of this detainee was considered.

Derived From: Multiple Sources
Declassify On: 25X1-Human

ISN 256
Enclosure (5)
Page 1 of 8

~~SECRET//ORCON/NOFORN~~

3. (U) Summary of Information Considered

- a. (U) The ARB reviewed the ARB 3 package.
- b. (U) The ARB reviewed and considered information contained in DMO-01 through DMO-36.
- c. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included in enclosure (5):

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)



(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)



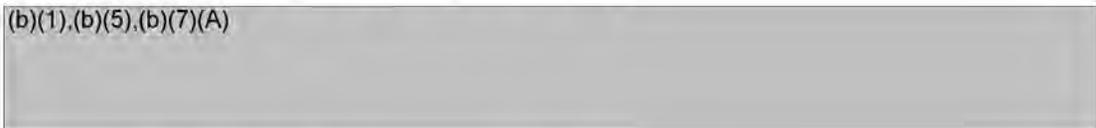
(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)



(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)

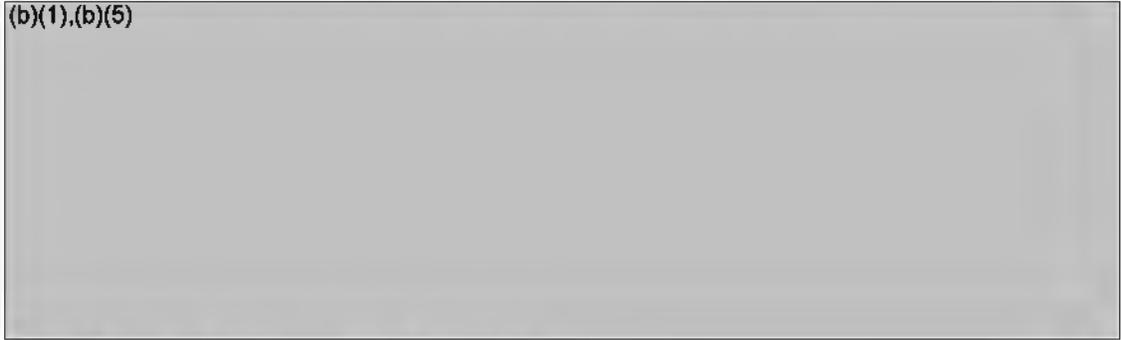


(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)



(b)(1),(b)(5)



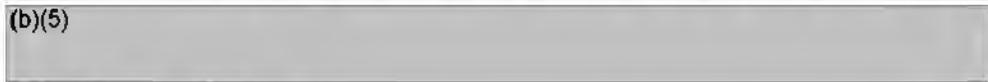
4. (U) Third Party / Home Country Statements

(b)(5)



5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(5)



6. (U) Additional Information

(b)(1),(b)(5)



Derived From: Multiple Sources
Declassify On: 25X1-Human

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(b)(1),(b)(5)



7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level.**

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

Derived From: Multiple Sources

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(b)(5),(b)(7)(A)
(b)(1),(b)(5),(b)(7)(A)
(b)(5),(b)(7)(A)
(b)(1),(b)(5),(b)(7)(A)
(b)(5),(b)(7)(A)
(b)(1),(b)(5),(b)(7)(A)

Derived From: Multiple Sources
Declassify On: 25X1-Human

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(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

Derived From: Multiple Sources
Declassify On: 25X1-Human

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(b)(1),(b)(5),(b)(7)(A)

(b)(5),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

b. ~~(S//NF)~~ Intelligence Value.

(b)(1),(b)(5)

c. (U) Detainee Treatment Act Consideration.

(b)(1),(b)(5)

d. (U) Recommendation.

(b)(1),(b)(5)

8. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

Colonel, United States Marine Corps
Presiding Officer

UNCLASSIFIED

Department of Defense
Office for the Administrative Review of the Detention of Enemy
Combatants at U.S. Naval Base Guantanamo Bay, Cuba

06 October 2008

To: AL-HAJ, RIYAD ATIQ ALI ABDU

Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE
REVIEW BOARD IN THE CASE OF AL-HAJ, RIYAD ATIQ ALI ABDU

1. An Administrative Review Board will be convened to review your case to determine if your continued detention is necessary.
2. The Administrative Review Board will conduct a comprehensive review of all reasonably available and relevant information regarding your case. At the conclusion of this review the Board will make a recommendation to: (1) release you to your home state; (2) transfer you to your home state, with conditions agreed upon by the United States and your home state; or (3) continue your detention under United States control.
3. The following primary factors favor continued detention:
 - a) **Commitment**
 - 1) The detainee stated he met a man at a mosque who recruited him to go to Afghanistan. The detainee stated the man told him he should easily find a wife in Afghanistan.
 - 2) The detainee stated the man he met assisted the detainee in obtaining the money necessary to purchase the plane tickets to Pakistan.
 - 3) The detainee stated he departed Yemen, stopping in United Arab Emirates, before arriving in Pakistan.
 - 4) The detainee stated he stayed at a Taliban guest house.
 - 5) The detainee stated he left the Taliban guest house with other unknown Arabs and traveled to Afghanistan in a taxi. The detainee stated he stayed at another Taliban guest house for approximately 10 to 14 days.
 - 6) The detainee stated he talked with others about the front line. The detainee stated he wanted to go to the front line because of the discussions of the rebels, and that Afghanistan was an Islamic country.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL-HAJ, RIYAD ATIQ ALI ABDU

- 7) The detainee stated he traveled to the front line and saw what was going on. The detainee stated he decided to serve the Taliban in any manner, but not to fight.
 - 8) The detainee stated that after arriving at the front line, he was issued a Kalashnikov rifle and one 30 round magazine of ammunition. The detainee stated he spent approximately one month at the front line.
 - 9) The detainee stated that during this time, the detainee assumed duties of a support person for one month. Afterwards, the detainee stated he left the front lines.
 - 10) The detainee stated he worked at a hospital as a nurse's aid for six months.
 - 11) The detainee stated he evacuated Kabul, Afghanistan, because the front lines had been over run by opposition forces.
- b) Connections/Associations**
- 1) The detainee's name was on a list of captured Mujahedin found on a computer hard drive associated with a known al Qaida operative and was seized in a raid.
 - 2) The detainee's name, aliases and nationality appeared on a document list of 324 Arabic names recovered from safe house raids associated with suspected al Qaida in Pakistan.
 - 3) The detainee's name, alias and contents of his trust account appeared on a list of al Qaida Mujahedin. The list was on computer media recovered during raids against al Qaida associated safe houses in Pakistan.
- c) Training**
- 1) The detainee stated that after graduating high school, the detainee joined the Yemen military for one year. While in the military, he served in the office of a Deputy Commander. The detainee stated he was trained while in the military in the use of a Kalashnikov rifle and the rocket propelled grenade launcher.
 - 2) An al Qaida operative identified the detainee and stated he was trained by the detainee at the al Farouq Training Camp. The al Qaida operative stated the training included instruction in the use of the rocket propelled grenade launchers, the AK-47 assault rifle, PK machine guns and handguns.
 - a. The al Farouq Training Camp in Afghanistan was reportedly funded by al Qaida and therefore more advanced than other training camps in Afghanistan. The

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL-HAJ, RIYAD ATIQ ALI ABDU

training at al Farouq consisted of two week periods of weapons training, a basic commando course, topography and explosives.

d) Intent

- 1) The detainee stated his purpose for participating with the Taliban was to get to know the Taliban, who was fighting for the Taliban, and to find out about the Taliban's culture.

e) Other Relevant Data

- 1) The detainee stated he was captured along with other Arabs by Pakistan authorities while attempting to cross the Pakistan border on foot through the mountains.
- 2) The detainee stated he was in Pakistani custody for approximately two months before being turned over to the American forces.
- 3) The detainee was reported as having a lot of experience, as he spent a long time at camp Farouq and at least one year on the front lines fighting the Northern Alliance. It was reported that while on the front lines the detainee taught others how to train people in various advanced things such as tanks and explosives.
- 4) It was reported that the detainee went home (to Yemen) often, every five to six months, where he disclosed details of his activities in Afghanistan to his friends. It was reported that the detainee was in charge of delivering food supplies to the fighters and that the detainee delivered approximately 3,000 United States dollars to the Emir at Tora Bora, Afghanistan.
- 5) The detainee was reported as being a Commander in Afghanistan with a lot of responsibility on the front lines fighting the Northern Alliance. The detainee was reported as being the leader of a group of 10 to 15 men and drove a Toyota pick-up truck that used to haul supplies to the front.
- 6) The detainee was identified as being on the Taliban front lines in Kabul during late 1999/early 2000.
- 7) A foreign government identified the detainee as a Yemeni jihadist holding a Yemeni passport and believed the detainee to be in Afghanistan as of late December 2001.
- 8) The detainee stated he used an alias while in Afghanistan. The detainee stated all the other Arabs were using aliases, so he did too. The detainee stated he was not trying to hide his true identity, saying using a Kunya is common for Arab people.

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Subject: UNCLASSIFIED SUMMARY OF EVIDENCE FOR ADMINISTRATIVE REVIEW BOARD IN THE CASE OF AL-HAJ, RIYAD ATIQ ALI ABDU

4. The following primary factors favor release or transfer:

- a) The detainee stated information that placed the detainee in Tora Bora, delivering food and supplies and giving money to an Emir was false. The detainee stated that he never delivered anything to anyone. The detainee stated that he was not in Tora Bora and did not deliver supplies.
- b) The detainee stated he has never met Usama bin Laden, but had observed him on television. The detainee stated he never observed Usama bin Laden while in Afghanistan.
- c) The detainee stated that while in Afghanistan he never carried a weapon. The detainee stated he was not a member of the Taliban, al Qaida, or any other terrorist or fundamental Islamic organization.
- d) The detainee stated he was never at al Farouq.
- e) The detainee stated he never received any training from the Taliban. The detainee stated he never fired his weapon and was never fired upon since he was in the third line, away from the fighting as he was inexperienced.
- f) The detainee stated his purpose for traveling to Afghanistan was to find a wife.

5. You will be afforded a meaningful opportunity to be heard and to present information to the Board; this includes an opportunity to be physically present at the proceeding. The Assisting Military Officer (AMO) will assist you in reviewing all relevant and reasonably available unclassified information regarding your case. The AMO is not an advocate for or against continued detention, nor may the AMO form a confidential relationship with you or represent you in any other matter.

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